

**No. 94**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2008**

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House Chamber, Lansing, Thursday, December 18, 2008.

10:00 a.m.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—e/d/s
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—excused	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—e/d/s	Hoogendyk—e/d/s	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. Fulton Sheen, from the 88th District, offered the following invocation:

“Lord, this may very well be the final day of session for the 94th Legislature. Lord, I want to thank You, as do many in this chamber, for the privilege of serving the state of Michigan and the citizens of our respective districts. Almost half of this chamber will now return to the private sector and the districts from which we came. We are looking forward to spending more time with our families and friends. But we are returning to an economy and job market which are both difficult and challenging. I pray that You enable those who are leaving to be able to find a good job to provide for their families. I pray for those who are staying to make wise choices and to not be afraid to do what must be done.

Lord, I ask for Your forgiveness for the mistakes we have made and for the things we should have done that we didn't. I pray, oh Lord, that You would help us do the right thing and we would not place politics before good policy and personal gain and position before the welfare of the majority of citizens which live in Michigan.

Lord, our state is in dire need of leadership and vision. Lord, it says in Your word that a people without a vision are a people without restraint. Father, we were sent here to make difficult choices and the time to make those choices is now. Our state has not been in this difficult of a situation since the Great Depression. Lord, we need Your grace and divine wisdom, strategies, and direction to lead the state out of this crisis. So today I pray, along with all those in this room, that You would give the 94th Legislature, as well as the 95th Legislature, the courage and insight to make those decisions and chart that course. Just as Benjamin Franklin prayed so many years ago, *‘We have been assured Sir, in the sacred Writings, that except the Lord build this House, they labor in vain that build it. I firmly believe this; and I also believe without His concurring aid, we should succeed at this political building no better than the builders of Babel.’* May we not try to chart this course without You. Amen.”

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Rep. Tobocman moved that Rep. Miller be excused from today's session.  
The motion prevailed.

### Reports of Standing Committees

The Speaker laid before the House

#### **House Resolution No. 152.**

A resolution to memorialize Congress to provide funding for the partnership program of the United States Census Bureau.

(For text of resolution, see House Journal No. 69 of 2007, p. 1120.)

(The resolution was reported by the Committee on Appropriations on December 10, consideration of which, under the rules, was postponed until December 11.)

The question being on the adoption of the resolution,

The resolution was adopted.

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Rep. Hansen moved that Rep. DeRoche be excused temporarily from today's session.  
The motion prevailed.

Rep. Tobocman moved that Rep. Condino be excused temporarily from today's session.  
The motion prevailed.

### Messages from the Senate

The Speaker laid before the House

#### **Senate Bill No. 218, entitled**

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and

collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 9 (MCL 207.559), as amended by 2007 PA 146.

(The bill was received from the Senate on September 11, with substitute (S-6) to the House substitute (H-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 16, see House Journal No. 74, p. 2157.)

The question being on concurring in the substitute (S-6) to the House substitute (H-2) made to the bill by the Senate,

Rep. Moolenaar moved to amend the Senate substitute (S-6) as follows:

1. Amend page 8, following line 4, by inserting:

**“(xiii) A FACILITY LOCATED IN AN INDUSTRIAL DEVELOPMENT DISTRICT THAT WAS ESTABLISHED BY THE LEGISLATIVE BODY OF THE LOCAL GOVERNMENTAL UNIT IN APRIL OF 2008 FOR CONSTRUCTION THAT WAS COMMENCED IN SEPTEMBER 2007 AND CERTIFICATE OF OCCUPANCY ISSUED IN SEPTEMBER 2008 FOR WHICH AN APPLICATION FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE WAS APPROVED IN MAY OF 2008.”.**

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

The question being on concurring in the substitute (S-6) to the House substitute (H-2) made to the bill by the Senate,

Rep. Meisner moved to amend the Senate substitute (S-6) as follows:

1. Amend page 7, line 21, by striking out all of subparagraphs (xi) and (xii).

2. Amend page 13, line 4, by striking out all of subsection (12).

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-6) to the House substitute (H-2) made to the bill by the Senate,

The substitute (S-6), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1106

#### Yeas—103

Accavitti	Ebli	LaJoy	Polidori
Acciavatti	Elsenheimer	Law, David	Proos
Agema	Emmons	Law, Kathleen	Robertson
Amos	Espinoza	LeBlanc	Rocca
Angerer	Farrah	Leland	Sak
Ball	Gaffney	Lemmons	Schuitmaker
Bauer	Garfield	Lindberg	Shaffer
Bennett	Gillard	Marleau	Sheen
Bieda	Gonzales	Mayes	Sheltrown
Booher	Green	McDowell	Simpson
Brandenburg	Griffin	Meadows	Smith, Alma
Brown	Hammel	Meekhof	Smith, Virgil
Byrnes	Hammon	Meisner	Spade
Byrum	Hansen	Melton	Stahl
Calley	Hildenbrand	Meltzer	Stakoe
Casperson	Hood	Moolenaar	Steil
Caul	Hopgood	Moore	Tobocman
Clack	Horn	Moss	Vagnozzi
Clemente	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Jackson	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
Dillon	Knollenberg	Pavlov	Young
Donigan	Lahti	Pearce	

**Nays—1**

Caswell

In The Chair: Sak

The House agreed to the title as amended.

The Speaker laid before the House

**House Bill No. 5355, entitled**

A bill to amend 1989 PA 196, entitled “An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim’s rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim’s rights services; and to prescribe the powers and duties of certain state and local agencies and departments,” by amending sections 1, 4, and 8 (MCL 780.901, 780.904, and 780.908), sections 1 and 4 as amended by 1996 PA 520 and section 8 as amended by 1993 PA 345.

(The bill was received from the Senate on December 10, with an amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 11, see House Journal No. 92, p. 2998.)

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1107****Yeas—56**

Accavitti	Cushingberry	Hopgood	Melton
Angerer	Dean	Jackson	Polidori
Bauer	Dillon	Johnson	Sak
Bennett	Donigan	Jones, Robert	Sheltrown
Bieda	Ebli	Lahti	Simpson
Brown	Espinoza	Law, Kathleen	Smith, Alma
Byrnes	Farrah	LeBlanc	Smith, Virgil
Byrum	Gaffney	Leland	Spade
Clack	Gillard	Lemmons	Tobocman
Clemente	Gonzales	Lindberg	Vagnozzi
Condino	Griffin	Mayes	Valentine
Constan	Hammel	McDowell	Warren
Corriveau	Hammon	Meadows	Wojno
Coulouris	Hood	Meisner	Young

**Nays—50**

Acciavatti	Garfield	Meltzer	Proos
Agema	Green	Moolenaar	Robertson
Amos	Hansen	Moore	Rocca
Ball	Hildenbrand	Moss	Schuitmaker
Booher	Horn	Nitz	Shaffer
Brandenburg	Huizenga	Nofs	Sheen
Calley	Hune	Opsommer	Stahl
Casperson	Jones, Rick	Palmer	Stakoe
Caswell	Knollenberg	Palsrok	Steil
Caul	LaJoy	Pastor	Walker

DeRoche  
Elsenheimer  
Emmons

Law, David  
Marleau  
Meekhof

Pavlov  
Pearce

Ward  
Wenke

In The Chair: Sak

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

**House Bill No. 4289, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 625k, 625l, 904, and 904d (MCL 257.625k, 257.625l, 257.904, and 257.904d), sections 625k, 625l, and 904d as amended by 2003 PA 61 and section 904 as amended by 2004 PA 362.

(The bill was received from the Senate on December 11, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 93, p. 3031.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

Rep. Condino moved to amend the Senate substitute (S-1) as follows:

1. Amend page 19, line 22, after “effect” by striking out “January” and inserting “October”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1108**

**Yeas—104**

Accavitti  
Acciavatti  
Agema  
Amos  
Angerer  
Ball  
Bauer  
Bennett  
Bieda  
Booher  
Brandenburg  
Brown  
Byrnes  
Byrum  
Calley  
Casperson  
Caswell  
Caul  
Clack  
Clemente  
Condino  
Constan  
Corriveau  
Coulouris  
Cushingberry  
Dean

DeRoche  
Dillon  
Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza  
Farrah  
Gaffney  
Gillard  
Gonzales  
Griffin  
Hammel  
Hammon  
Hansen  
Hildenbrand  
Hood  
Hopgood  
Horn  
Huizenga  
Hune  
Jackson  
Johnson  
Jones, Rick  
Jones, Robert  
Knollenberg

Lahti  
LaJoy  
Law, David  
Law, Kathleen  
LeBlanc  
Leland  
Lemmons  
Lindberg  
Marleau  
Mayes  
McDowell  
Meadows  
Meekhof  
Meisner  
Melton  
Meltzer  
Moolenaar  
Moore  
Moss  
Nitz  
Nofs  
Opsommer  
Palmer  
Palsrok  
Pastor  
Pavlov

Pearce  
Polidori  
Proos  
Robertson  
Rocca  
Sak  
Schuitmaker  
Shaffer  
Sheen  
Sheltrown  
Simpson  
Smith, Alma  
Smith, Virgil  
Spade  
Stahl  
Stakoe  
Steil  
Tobocman  
Vagnozzi  
Valentine  
Walker  
Ward  
Warren  
Wenke  
Wojno  
Young

**Nays—1**

Garfield

In The Chair: Sak

The House agreed to the full title.

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Rep. Tobocman moved that Rep. Corriveau be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

**House Bill No. 5147, entitled**

A bill to provide standards for reverse vending machines; to prohibit the use, replacement, leasing, transfer, and sales of certain designs of reverse vending machines; to prescribe penalties; and to provide for the powers and duties of certain state and local governmental officers and entities.

(The bill was received from the Senate on December 11, with substitute (S-1), consideration of which, under the rules, was postponed until today, see House Journal No. 93, p. 3032.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1109****Yeas—103**

Accavitti	Donigan	LaJoy	Polidori
Acciavatti	Ebli	Law, David	Proos
Agema	Elsenheimer	Law, Kathleen	Robertson
Amos	Emmons	LeBlanc	Rocca
Angerer	Espinoza	Leland	Sak
Ball	Farrah	Lemmons	Schuitmaker
Bauer	Gaffney	Lindberg	Shaffer
Bennett	Garfield	Marleau	Sheen
Bieda	Gillard	Mayes	Sheltrown
Booher	Gonzales	McDowell	Simpson
Brandenburg	Green	Meadows	Smith, Alma
Brown	Griffin	Meekhof	Smith, Virgil
Byrnes	Hammel	Meisner	Spade
Byrum	Hammon	Melton	Stahl
Calley	Hansen	Meltzer	Stakoe
Casperson	Hood	Moolenaar	Steil
Caul	Hopgood	Moore	Tobocman
Clack	Horn	Moss	Vagnozzi
Clemente	Huizenga	Nitz	Valentine
Condino	Hune	Nofs	Walker
Constan	Jackson	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young
Dillon	Lahti	Pearce	

**Nays—1**

Caswell

In The Chair: Sak

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

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Rep. Caswell, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

While I agree with the intent of the bill and I understand it supposedly protects retailers from the costs of retrofitting their machines, I believe that with the budget problems the State has that in another year the retailers will get stuck with the bill for retrofitting their machines. Thus I voted no.”

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Reps. Hoogendyk and Scott entered the House Chambers.

The Speaker laid before the House

**House Bill No. 5356, entitled**

A bill to amend 1972 PA 284, entitled “Business corporation act,” by amending sections 108, 109, 123, 201, 211, 217, 241, 251, 545a, 564a, 564b, 762, 1002, and 1060 (MCL 450.1108, 450.1109, 450.1123, 450.1201, 450.1211, 450.1217, 450.1241, 450.1251, 450.1545a, 450.1564a, 450.1564b, 450.1762, 450.2002, and 450.2060), sections 108, 211, and 241 as amended and section 545a as added by 1989 PA 121, sections 109 and 251 as amended by 1993 PA 91, sections 123 and 564b as amended by 2001 PA 57, sections 217, 564a, and 762 as amended by 1997 PA 118, and section 1060 as amended by 2007 PA 83, and by adding sections 745 and 746; and to repeal acts and parts of acts.

(The bill was received from the Senate on December 11, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 93, p. 3032.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1110****Yeas—106**

Accavitti	Ebli	LaJoy	Polidori
Acciavatti	Elsenheimer	Law, David	Proos
Agema	Emmons	Law, Kathleen	Robertson
Amos	Espinoza	LeBlanc	Rocca
Angerer	Farrah	Leland	Sak
Ball	Gaffney	Lemmons	Schuitmaker
Bauer	Garfield	Lindberg	Scott
Bennett	Gillard	Marleau	Shaffer
Bieda	Gonzales	Mayes	Sheen
Booher	Green	McDowell	Sheltrown
Brandenburg	Griffin	Meadows	Simpson
Brown	Hammel	Meekhof	Smith, Alma
Byrnes	Hammon	Meisner	Smith, Virgil

Byrum	Hansen	Melton	Spade
Calley	Hildenbrand	Meltzer	Stahl
Casperson	Hood	Moolenaar	Stakoe
Caswell	Hoogendyk	Moore	Steil
Caul	Hopgood	Moss	Tobocman
Clack	Horn	Nitz	Vagnozzi
Clemente	Huizenga	Nofs	Valentine
Constan	Hune	Opsommer	Walker
Coulouris	Jackson	Palmer	Ward
Cushingberry	Johnson	Palsrok	Warren
Dean	Jones, Rick	Pastor	Wenke
DeRoche	Jones, Robert	Pavlov	Wojno
Dillon	Knollenberg	Pearce	Young
Donigan	Lahti		

### Nays—0

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

### Comments and Recommendations

Rep. Tobocman moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. Shaffer:

- “Thank you, Mr. Speaker for the courtesies extended; good morning revered colleagues of the House Chamber!
- I had planned to draw your attention to the West Gallery, and focus on the fact that, surprisingly, I had no guests, however, that plan was foiled by the appearance of two dear friends from Three Rivers, whom I will introduce later in the day!
- However, most of you would be surprised if you knew of any members of my constituency who have NOT visited during my tenure here, since I think at one time or another it seems they all came to visit, and, with a sincere thank you to Mike Quillinan, I have the photos to prove it!
- To be perfectly candid, I was not planning on a Sine Die farewell. Most of our presentations are of similar rhetoric and perhaps a more effective use of legislative time would be for each of us to contribute a thought or two and have a spokesperson, more eloquently, present a ‘class farewell’. In that respect, I want to thank my friend and colleague, the good Representative from the 77th District who sits across this aisle from me, for refocusing my practicality.
- He shared, ‘Alone, you could never have achieved the privilege of serving in these hallowed chambers and likewise, never would have been of service to your constituents or gained legislative accomplishments. Your supporters need to have their value recognized!’
- Very wise counsel, Representative Green!
- And so, I too, will deliver a few accolades as has been the ‘common thread’ of so many of our closing speeches.
- First of all, a thank you to a Loving God that allows free moral agents to make decisions concerning their futures and forgives our shortcomings. He has provided guidance during my life, and I give Him all the thanks!
- I am blessed with a supportive family. My wife Sara and our boys Robbie and Ryan have made great sacrifices of their time to support my political ambitions as a county commissioner, during multiple campaigns and, of course, this ‘crazy’ legislative life-style.
- My parents deserve special recognition for instilling values of compassion for all fellow beings, Christian virtues and a spirit of volunteerism. They underwent years of self sacrifice to provide a Christian education for my sister and me.
- Over the years, I have had understanding employers and staff who have compensated during my absence while attending various community events.



- I am continually indebted to a talented campaign committee - each contributed their talents, and resources which provided me with the ultimate privilege of serving the constituency of the 59th District.
- The words 'Thank You' do not in any way reach the depths of my appreciation for their support, but I do say a sincere and humble "thank you" to them all.
- As legislators, we are blessed with talented support personnel at home and here in Lansing. I would be remiss if I didn't thank a few of my district 'legislative' cabinet! Each brought vocational expertise to the table, and many of my votes reflected the wisdom and guidance gained from them. I know I risk missing a few people in the plethora of names I am mentioning, but my gratitude goes to: John Kruse, Elmer Black, Suzie Warner, Kelly Hostetler, Larry Walton, Pattie Bender, Fred Henningson, Andy Goldberger, Bill LeBre, Bernie Williamson, Tom Meyer, Roger Rathburn, David Matthews, Jeff Middleton and the Cass County 'email King' County Commissioner Gordon Bickel .
- Since so many of my colleagues have mentioned our legislative support staff, I'll not take the time to further extrapolate, but will add my own accolade for their faithful service; in a term limited environment their institutional knowledge is certainly invaluable. Thank you to each and every one of you.
- In closing, and most importantly, a word about my own staff. Susan Martin, Chief of Staff has been an acquaintance for many years, and later became a friend. She was in reality my Campaign Manager who worked on my re-election campaigns also, and has for the past six years so admirably served our constituency. Her famous 'leave-it-to-me' response has been a comfort to me as she has brought countless issues to positive resolve and gained tremendous respect both at home in the district, and here in Lansing, during the process. She's been described as 'Mary Poppins with attitude', but to me she is just 'friend'. I'm tempted to keep calling her after January 1st..... Just kidding Susan, and thank you for your support and service.
- Marcy Johns, joined our staff a year ago. Many did not recognize the change in staff as her identical twin sister, Tricia McCallum left our office after five years to seek other employment and I would be remiss not to thank Tricia for her service and dedication. Marcy has her own personality and has fit the vacancy like a glove. We enjoy her 'can-do' positive attitude, warm friendliness to constituents, and her efficient control of my calendar, which provides some balance to this hectic legislative life style. Thank you Marcy for your support and service.
- And finally, to my colleagues, a salute to each of you who made this a most amazing experience. Whether for your support of my bills, your camaraderie during challenging times, or your personal friendship; each of you has made an indelible mark!
- I thank you one and all; and wish you all God's blessings as you continue to travel down your path through life.
- Thank you."

Rep. Amos:

"Good Afternoon:

I have found that to serve in the Legislature is a wonderful way to cap off a career. When I worked at Bell I loved what I did but I never felt that I was doing what I was put on this earth to do. Serving as a Representative of the people is getting much closer to what I believe my purpose is.

After listening to many of my colleague's farewell remarks, I have decided to touch upon some of the most important things that stick out in my mind and have not been mentioned enough.

I would like to thank the volunteers that have assisted me in getting to where I am today. Without the dedication of these caring citizens, none of us would be here in Lansing serving our constituents. To all volunteers, thank you from the bottom of my heart.

In this job you need to use every talent and skill that you have gained from your life experiences. To serve in this august body you need lots of skills: perseverance, time, cooperation, research, listening, leadership, and negotiating just to name a few.

To survive here in Lansing, you need a whole other set of skills.

Serving here is NOT JUST about making laws and balancing the budget, it is mostly about helping people and it covers a very wide spectrum of issues and problems. I have had many positive experiences during my time in the House. This includes supporting a family that had a loved one who was missing in action in Iraq, helping out the constituents of my district when they needed someone the most and being a voice for the mental health and disability communities.

If there is one negative point looking back on my six years, it would be not getting an effective solution to my proposed legislation concerning schools of choice for special education students. The experiences I had while working diligently to pass this important legislation opened my eyes to the true purpose of why I am here serving the people of Michigan. It is my hope that all of my colleagues will come to learn this same purpose before their time in the legislature comes to an end. Please remember that we are here first to serve. Especially for the groups of people, like special education students, that need real solutions when they are being wronged. It is our duty to look past politics to the core of the problem, and make sure that we make decisions in the best interest of the State of Michigan.

I remember the first day when I walked from the HOB over to the capitol to vote for the first time, a rush of responsibility filled my entire heart and body at the thought of pressing that button. That excitement and sense of

responsibility has NEVER changed. We are entrusted to hold the volts of 10 million peoples lives. That is a responsibility I have NEVER taken lightly and NEVER compromised.

Everyone's time here is both intense and valuable, with the days being long and the years being far too short. So now time is running out as with many new and old friends the best way to go is say ..... SAYONARA."

Rep. Bieda:

"First of all, I want to thank the people of the 25th District. When I ran for state representative I promised to work to make it the best vote you ever cast.

I sincerely hope I came close to that goal.

I would also like to thank my family, especially my parents, Joseph and Joan Bieda who are watching this on MGTV, as well as friends and supporters for everything they have done for me and everything they mean to me. No mere words can adequately express my debt, appreciation or affection.

For the last six years I have had the honor of representing a district that is very much part of this country's industrial muscle, indeed an area that Franklin Roosevelt hailed, during a visit there in the 1940s, as the Arsenal of Democracy.

I have always been proud to be an American.

I love my country.

I want to see my country succeed.

And I have always driven an American Car.

These are challenging times for our country, our state and our people. We need, and are fortunate to have, many good people in public service.

Upon reflecting on this wonderful and unique experience, I have to note that there are two types of personalities that take office. One type is self-assured, solid in their positions, immovable in their approach to some of the problems and issues facing the state. The other, and I think I fall in this category, is open to learning new things and approaching issues with an open mind.

Over all, the most important characteristic is being a good listener – whether you are dealing with your family, friends, or your constituents.

Since taking office I've had the pleasure of working on a number of interesting and complex issues.

For a policy wonk — this has been a virtual public affairs buffet. And with my 100 plus bills I sponsored — I clearly have enjoyed this very much.

I have had the challenge of working on a replacement for the Single Business Tax, something I approached with a workman like zeal and a definition of workgroup I suspect pushed the boundaries of what had previously passed for the term.

Issues relating to MBT revisions, service tax replacement, as well as a whole host of sundry and technical changes to the tax code have been a mainstay of my life for the last several years. I've also enjoyed my work on the Judiciary, Transportation, Labor, Capitol, and Ethics and Elections Committees

I tried my best, although in a political environment we are often lucky to end up with pretty good rather than ideal. As part of the first group of the 'budgeters of 07' to leave office, I can't but help to note that our state and country would be better off if we all placed a higher emphasis on the policy rather than the politics.

Disappointments?

Yes, more than a few. I am disappointed that despite our best intentions and a progressive series of ethics reforms that only one bill — a bill I sponsored requiring the reporting of funds donated to politicians legal defense funds — made it through both chambers and onto the Governor's desk.

I think it's deplorable that Michigan is ranked at the bottom of states on state ethics legislation. I'm also disappointed that we haven't adopted no-excuse absentee voting.

I hope a future legislator takes up this challenge.

My class of 2003 took office on what was essentially the eve of the War in Iraq. Since that time, between Afghanistan and Iraq, over 4200 Americans have been killed. Of those 152 were from Michigan. My most poignant memories of this institution will be the times we stood at attention in honor of a fallen American.

I want to commend Governor Granholm for her sensitivity and respect for those sacrifices made by these brave Americans by ordering the Flag to be flown at half-mast for each Michigan resident lost in the war.

Although it pales by the enormity of the sacrifice, this is a great honor and an appropriate tribute. But passing the Capitol and noticing the Flag at half-mast didn't fully tell the story about the individuals so honored.

Thus, as a member of the Capitol Committee I recommended that we post the names so we would all be informed of the identity of those who loved this country and paid the ultimate sacrifice.

As a country we should never forget the sacrifices of our veterans and especially those who died in the service of our country. God bless them and their families.

It was in the similar thought of remembrance that I undertook a project to honor the memory and achievements of Elijah Myers, architect of the State Capitol, with the installation of a memorial plaque at his gravesite and on the ground floor of the rotunda of this building.

Since I started working here there has not been a day that has gone by that I haven't noticed some architectural flourish, some artistic detail of this magnificent building.

We are so fortunate to have this as our workplace.

Another more permanent achievement is something many of you may have in your pockets.

In 2003 I had the honor of working with members of the Michigan State Quarter Commission. The five finalist designs all incorporated the outline of the state.

But something was missing, and working with the United States Mint and the Michigan DEQ, I suggested and requested that the designs incorporate the topographical features of the State of Michigan.

So my friends, when you rub your fingers over the surface of a Michigan Quarter – those slightly irregular surfaces – you can tell your kids that that's Steve Bieda.

**I would be truly remiss if I didn't thank all of you for your service to the state.** At risk of omitting some,

First of all, thank you to everyone who either worked on my campaigns or worked with me on my many legislative ideas.

Special thanks to Stephanie Atkinson, David Bocek, Jeff Weathers, Eric Stoken, Ryan Bates, Elizabeth Lenhard, Joe Dolan, Ed Klein, Jane Gabler, Phil Turner and Joe DiSano.

Thank you to my office staff — both current and former, including most recently Celina Stewart, Becky Hilgert, Mike Brown and Jim Smock. Thank you also to all the clerks on the committees I have served. As well as to all the interns that have served in my office.

Thank you to our Policy staff - both Democratic and Republican, House and Senate. Special thanks to Stephanie Schmidt, Arnold Weinfeld, Bill Flory, Gary Garbarino, Chrissy Beckwith, Lorna Elliott., John Mulcrone, Matt Hanley, Howard Ryan and Nathan Forester.

Thank you to the staff of the State Capitol. Kerry Chartkoff, Matt Van Acker, Steve Benkovsky and the late Jerry Lawler for all you have done in ensuring that this Capitol continues to be the gem that it is. Thank you to all who work in visitor services, to the docents and capitol volunteers, as well as the House pages and the House Sergeants.

Thank you to those in the administration, including State Treasurer Bob Kleine, Tim Hughes, and the very talented and somewhat curmudgeonly Scott Schrager. Thank you to our legislative services bureau especially Fred Doherty and Kellie Osborn for your work on the MBT. Thank you to Mitch Bean in House Fiscal. You are all talented individuals.

I'd like to also thank House and Senate leadership both past and present. In particular Speaker Andy Dillon, MFL Steve Tobocman and Speak Pro Tem Mike Sak.

I'd like to thank members of the Macomb delegation, both past and present, including Lisa Wojno, with whom I represent the City of Warren, and Tory Rocca with whom I represent the City of Sterling Heights.

Thank you to other members I've had the pleasure of working with, especially Doug and Toby Spade, Barb Farrah, Gabe Leland, Mike Nofs, Andy Coulouris, Tim Melton, Lorence Wenke, Richard LeBlanc, Kathleen Law, Marc Corriveau, Aldo Vagnozzi, and John Espinoza, as well as former fellow staff members turned legislators Jeff Mayes, Hoon-Yung Hopgood, and Rebekah Warren.

Thank you to the talented and knowledgeable press and lobby corps whom I have had the pleasure of working with over the years.

I would especially like to thank **everyone** who ever served on a workgroup with me. Especially members of the MBT workgroup, my good friend and seat-mate Paul Condino, Kathy Angerer, Brian Calley, and Senators Buzz Thomas, Jud Gilbert, Mark Jansen and Nancy Cassis.

Lastly, I have to acknowledge the fact that as we transition to different jobs and careers that I won't be seeing you in the same capacity or frequency that I've become accustomed to.

So what do you say? In my feeble attempts to find the right words, I reflect back to something my grandmother wished for me in one of my last conversations with her several days before she died last year, just shy of her 99 th Birthday.

She told me two things. One was that life was too short. The second was that life is beautiful, and that she hoped I had a beautiful life.

Well my friends, life is beautiful, I hope you have a long and beautiful life. It has been an honor serving with all of you and for the people of Michigan in this, our Michigan House of Representatives. Thank you."

Rep. LaJoy:

"Thank you for the opportunity to address my colleagues today. First of all, I'd like to thank God for the opportunity to serve. I'd like to thank my family: my wife, Jean, my son, Todd, and his wife, Amy and my son, Chris, his wife, Mary, and my grandchildren, Lena and Andrew, for their unwavering support and making it possible for me to serve. I'd like to thank my staff, Stacey Shell and Wendy Larvick, for their hard work and dedication to the residents of the 21st district.

When I first came to the House, having spent many years working in the private sector and in managing my own business, I quickly came to the realization that we have a long way to go in being good stewards of the people's money. It became my primary focus during my time in office to attempt to assist our state government in being more efficient and more effective. I found that this venture did not make me popular in many of our state office buildings. I am proud though of the two legislative commissions on Mandates and Government Efficiency started this year which have already

stirred up the status quo. I hope the recommendations of these two commissions will be taken to heart by the state and by this body when they are released next year. I'd also like to offer this parting advice — figure out how Michigan can work more as one state rather than 17 separate departments. We certainly can do a better job of consolidating and yet still provide the excellent service our residents deserve. I'd like to thank Tom Casperson for his continuous support through this efficiency journey.

I want to thank Craig DeRoche for the opportunity to chair the House Transportation Committee. I enjoyed this responsibility. I'd like to thank all of those who served with me on the committee for their excellent work and their support. Special thanks to the policy staff who assisted me, David Worthams, Audrey Robinson and Scott Starr. There is a definite need to improve our transportation funding system in Michigan and we must continue to, with a loud voice, make Washington, D.C. understand we need to receive our fair share of the funding. In addition, as a state, we must make transportation a top priority and ensure the funds we do have are spent where they are needed most, on our roads and bridges. Frankly, the revenue does not match the needs of a comprehensive transportation system. We need to change the way we collect our transportation revenue. The future, with changes in technology and renewable fuels, will demand it.

It's truly been an honor and a privilege to serve as state representative, to work in this beautiful building, and to build such strong and lasting friendships. I'd like to thank my colleagues, especially those seatmates I've had over the years, Shelley Taub, Tom Casperson, Jim Marleau and to David Law, special thanks for making this sometimes difficult job more tolerable. I'd like to thank the Republican Central Staff, the Legislative Service Bureau, and the lobbying community for their wealth of knowledge and support in creating good policy. I'd like to thank the sergeants, Clerk Rich Brown, Deputy Clerk Gary Randall, and all of the Capitol personnel for all they do to make our job so much easier. Finally, I'd like to thank the residents of the 21st district for granting me this honor."

By unanimous consent the House returned to the order of

#### **Messages from the Senate**

The Speaker laid before the House

#### **House Bill No. 5694, entitled**

A bill to amend 1917 PA 350, entitled "An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act," by amending sections 4, 5, and 8 (MCL 445.404, 445.405, and 445.408), as amended by 2006 PA 675.

(The bill was received from the Senate on December 11, with substitute (S-1), consideration of which, under the rules, was postponed until today, see House Journal No. 93, p. 3032.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 1111**

#### **Yeas—108**

Accavitti	Dillon	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lemmons	Scott
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Clack	Hoogendyk	Moore	Tobocman

Clemente	Hopgood	Moss	Vagnozzi
Condino	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker
Corriveau	Hune	Opsommer	Ward
Coulouris	Jackson	Palmer	Warren
Cushingberry	Johnson	Palsrok	Wenke
Dean	Jones, Rick	Pastor	Wojno
DeRoche	Jones, Robert	Pavlov	Young

**Nays—0**

In The Chair: Sak

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

**House Bill No. 5934, entitled**

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending sections 9515, 9516, 9520, and 9521 (MCL 440.9515, 440.9516, 440.9520, and 440.9521), as added by 2000 PA 348, and by adding section 9501a; and to repeal acts and parts of acts.

(The bill was received from the Senate on December 11, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 93, p. 3032.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1112****Yeas—106**

Accavitti	Donigan	LaJoy	Polidori
Acciavatti	Ebli	Law, David	Proos
Amos	Elsenheimer	Law, Kathleen	Robertson
Angerer	Emmons	LeBlanc	Rocca
Ball	Espinoza	Leland	Sak
Bauer	Farrah	Lemmons	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brandenburg	Green	McDowell	Sheltrown
Brown	Griffin	Meadows	Simpson
Byrnes	Hammel	Meekhof	Smith, Alma
Byrum	Hammon	Meisner	Smith, Virgil
Calley	Hansen	Melton	Spade
Casperson	Hildenbrand	Meltzer	Stahl
Caswell	Hood	Moolenaar	Stakoe
Caul	Hoogendyk	Moore	Steil
Clack	Hopgood	Moss	Tobocman
Clemente	Horn	Nitz	Vagnozzi
Condino	Huizenga	Nofs	Valentine
Constan	Hune	Opsommer	Walker
Corriveau	Jackson	Palmer	Ward
Coulouris	Johnson	Palsrok	Warren
Cushingberry	Jones, Rick	Pastor	Wenke
Dean	Jones, Robert	Pavlov	Wojno



DeRoche  
Dillon

Knollenberg  
Lahti

Pearce

Young

**Nays—0**

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Gillard moved that Rep. Cushingberry be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

**House Bill No. 6150, entitled**

A bill to create the Michigan supply chain management development commission; to prescribe the powers and duties of the commission; and to provide for certain regulations.

(The bill was received from the Senate on December 11, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 93, p. 3033.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1113**

**Yeas—99**

Accavitti  
Acciavatti  
Amos  
Angerer  
Ball  
Bauer  
Bennett  
Bieda  
Booher  
Brandenburg  
Brown  
Byrnes  
Byrum  
Calley  
Casperson  
Caswell  
Caul  
Clack  
Clemente  
Condino  
Constan  
Corriveau  
Coulouris

Dillon  
Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza  
Farrah  
Gaffney  
Garfield  
Gillard  
Gonzales  
Green  
Griffin  
Hammel  
Hammon  
Hansen  
Hildenbrand  
Hood  
Hopgood  
Horn  
Huizenga  
Hune  
Jackson

Jones, Robert  
Lahti  
LaJoy  
Law, Kathleen  
LeBlanc  
Leland  
Lemmons  
Lindberg  
Marleau  
Mayes  
McDowell  
Meadows  
Meekhof  
Meisner  
Melton  
Meltzer  
Moolenaar  
Moore  
Moss  
Nitz  
Nofs  
Opsommer  
Palsrok

Polidori  
Proos  
Robertson  
Rocca  
Sak  
Schuitmaker  
Scott  
Shaffer  
Sheltrown  
Simpson  
Smith, Alma  
Smith, Virgil  
Spade  
Stahl  
Steil  
Tobocman  
Vagnozzi  
Valentine  
Walker  
Ward  
Warren  
Wenke  
Wojno

Dean  
DeRoche

Johnson  
Jones, Rick

Pavlov  
Pearce

Young

### Nays—8

Agema  
Hoogendyk

Knollenberg  
Law, David

Palmer  
Pastor

Sheen  
Stakoe

In The Chair: Sak

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

#### House Bill No. 6181, entitled

A bill to regulate the purchase and sale of certain nonferrous metals; to provide for certain disclosures by certain persons regarding certain transactions; to require the creation of certain records for certain purposes and for the use of certain databases by certain persons; and to provide for penalties and remedies.

(The bill was received from the Senate on December 11, with substitute (S-3) and title amendment, consideration of which, under the rules, was postponed until today, see House Journal No. 93, p. 3033.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1114

#### Yeas—107

Accavitti  
Acciavatti  
Agema  
Amos  
Angerer  
Ball  
Bauer  
Bennett  
Bieda  
Booher  
Brandenburg  
Brown  
Byrnes  
Byrum  
Calley  
Casperson  
Caswell  
Caul  
Clack  
Clemente  
Condino  
Constan  
Corriveau  
Coulouris  
Dean  
DeRoche  
Dillon

Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza  
Farrah  
Gaffney  
Garfield  
Gillard  
Gonzales  
Green  
Griffin  
Hammel  
Hammon  
Hansen  
Hildenbrand  
Hood  
Hoogendyk  
Hopgood  
Horn  
Huizenga  
Hune  
Jackson  
Johnson  
Jones, Rick  
Jones, Robert  
Knollenberg

Lahti  
LaJoy  
Law, David  
Law, Kathleen  
LeBlanc  
Leland  
Lemmons  
Lindberg  
Marleau  
Mayes  
McDowell  
Meadows  
Meekhof  
Meisner  
Melton  
Meltzer  
Moolenaar  
Moore  
Moss  
Nitz  
Nofs  
Opsommer  
Palmer  
Palsrok  
Pastor  
Pavlov  
Pearce

Polidori  
Proos  
Robertson  
Rocca  
Sak  
Schuitmaker  
Scott  
Shaffer  
Sheen  
Sheltrown  
Simpson  
Smith, Alma  
Smith, Virgil  
Spade  
Stahl  
Stakoe  
Steil  
Tobocman  
Vagnozzi  
Valentine  
Walker  
Ward  
Warren  
Wenke  
Wojno  
Young

**Nays—0**

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

**House Bill No. 6496, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 266 (MCL 206.266), as amended by 2007 PA 94.

(The bill was received from the Senate on December 11, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 93, p. 3033.)

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1115****Yeas—107**

Accavitti	Donigan	Lahti	Polidori
Acciavatti	Ebli	LaJoy	Proos
Agema	Elsenheimer	Law, David	Robertson
Amos	Emmons	Law, Kathleen	Rocca
Angerer	Espinoza	LeBlanc	Sak
Ball	Farrah	Leland	Schuitmaker
Bauer	Gaffney	Lemmons	Scott
Bennett	Garfield	Lindberg	Shaffer
Bieda	Gillard	Marleau	Sheen
Booher	Gonzales	Mayes	Sheltrown
Brandenburg	Green	McDowell	Simpson
Brown	Griffin	Meadows	Smith, Alma
Byrnes	Hammel	Meekhof	Smith, Virgil
Byrum	Hammon	Meisner	Spade
Calley	Hansen	Melton	Stahl
Casperson	Hildenbrand	Meltzer	Stakoe
Caswell	Hood	Moolenaar	Steil
Caul	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Vagnozzi
Clemente	Horn	Nitz	Valentine
Condino	Huizenga	Nofs	Walker
Constan	Hune	Opsommer	Ward
Corriveau	Jackson	Palmer	Warren
Coulouris	Johnson	Palsrok	Wenke
Dean	Jones, Rick	Pastor	Wojno
DeRoche	Jones, Robert	Pavlov	Young
Dillon	Knollenberg	Pearce	

**Nays—0**

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.



By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 1236**. The motion prevailed.

**Comments and Recommendations**

Rep. Walker:

“Thank you Mr. Speaker, I appreciate the opportunity to wish everyone a farewell and to thank those who made this great adventure possible. First let me say my thank you’s so I do not forget. It took me year of speech making before I consistently thanked my wife so I want to thank her first. Dianne, I could not have done it without you. Thank you to my dedicated staff Matt Classens who was with me for three years; Eric Dean for three years; and Brianna Mills for all six years. I could not have looked good without you. And a big thank you to my constituents who put their faith in me and even to those who did not, I could not have done it without you.

I would like to talk just a little about myself and who I was before I got here. First you need to know I had a surveying business before I came here and surveyors in general are pretty conservation folks. And we are usually pretty casual. As a matter of fact flannel shirts were standard issue; for the office, for the field, and for meetings. I didn’t even know that those blue blazers, you know the one with gold buttons, went with khaki pants. You see I wouldn’t know because flannel shirts go with blue jeans.

Now as a surveyor I feel qualified to tell a quick surveyor joke. Picture two surveyors having a lively conversation and one was an introvert and one was an extravert, do you know how to tell which one was the extravert? He would be the one who looks at the other guys shoes when they are talking – pause for laughter.

I tell that joke to make a point and so maybe you can see a little bit more about whom I was coming into this job. And now, as I reflect back on the last six years I was wondering what it was all about. Was ‘it’ about all the constituent problems which we solved, was ‘it’ about all the legislation which was passed, or was ‘it’ about how many votes you got the last elections? Well, I think maybe it depends on what the definition of ‘it’ is. ‘Pause for laughter’.

I pondered what ‘it’ meant to me and thought about many of the things which I worked on that might define me down here and in the District, but I was drawn to a thought which was described in a book I read which titled The Purpose Driven Life and is authored by Rick Warren. The first sentence of the book reads ‘It is not about you’. If it is not about me, . . . what is it?

I think for me, ‘it’, was growing in my Christian faith. And how does one grow in their faith in Lansing, of all places; A place where many might envision a caldron of nefarious intent. Well, I can thank my good friend Rep. John Moolenaar and all those who attended and led our Bible study group which met every Wednesday morning at 7:00 am.. Yes. Right here in Lansing over in the House Office Bldg. This was a great bi-partisan group that really had a meaningful impact on me. Now, I not only will have my legislative experience but a stronger Christian faith to carry with to my next great adventure.

In conclusion, thank you again to everyone who made this experience possible. ‘It’ was a great ride!”

Rep. Accavitti:

“Thank You Mr. Speaker

First and foremost I would like to thank the 90,000 people of the 42nd district. For sending me to represent them these past six years.

Next my Family - Parents Frank and Mary Jane – Brothers Michael, Daniel and Paul and their families. My Children Amy, Jennifer and Frank and their Mother Mary Beth

My new extended family Dawn, and her Children Brianna and Brendan

My incredible staff present. Jenn Putney, Lindsay Willet, and past Lindsay Whitenight/Laforte now on the speakers staff, Andy McKinnon now an attorney, Sam Modlen now a Washington DC police officer

Over six years I made many friendships on both sides of the aisle - I believe if pressed I could share a personal antidote about each and every one of you. But as we are pressed for time I will not

I do need to thank my Macomb County Colleagues - Cousin Dan Acciavatti, Steve Bieda, Jack Brandenburg, Kim Meltzer, Fred Miller, Tory Rocca & My 1st term side kick Lisa Wojno

Thank you Speaker Dillon – choosing me to lead the E & T Committee – Reeling me in when I got too far out there. But never being heavy handed or stifling the fire in my belly. You truly were the best choice for Speaker and that may have been the most important vote I cast in all the six years I have served here

Mike Nofs – For teaching me how to be Chairperson – for helping me move out of my comfort zone – helping me not only listen to those who agree with me but revealing in the growth from interacting with those who did not agree.

Detroit Caucus members past and present – who refreshed my hopes and dreams for the City of Detroit — all of you are a credit to your City.

I thought I knew everything when I got here to Lansing but what I learned was I didn't even know how much I didn't know. Thank you all for helping me learn that one never stops learning.

In parting a quote from Frank A. Clark

'If you find a path with no obstacles, it probably doesn't lead anywhere.'

Thank you it has been my pleasure to serve with you."

Rep. Palmer:

"My friends:

I leave Lansing hopefully as I arrived - consistent and unaffected by the bureaucracy. I choose today to submit these remarks because I owe a debt of gratitude to a vast number of people who have helped me along the way, and I would be remiss not to publicly acknowledge them. I choose not to stand on the floor of the House and give these remarks orally because I believe that we owe it to the citizens of this great state to be judicious with the taxpayer's resources, and focus on our job at hand, rather than take up valuable time with personal remarks. However, I do want to express a heartfelt goodbye to my new "brothers and sisters" that I gained in the past seven years in the legislature. Since I lost my only brother, Ron, and only sister, June during my first term in the legislature, this acknowledgement is even more important to me.

This stand harkens back to my first months as a legislator. We voted on legislation to establish a state fossil. While I'm sure that it made someone feel good to see that enacted into law, we have diverted attention away from the real issues facing our state. At the time I told our leadership that if the heat and lights are on in the chamber, that's enough for me to conclude that the legislation is a waste of taxpayer money.

I start by thanking Almighty God, the true source of all of our rights, for his care of our great state, and for protecting the men and women in the armed forces who protect our freedoms around the world. I thank my beautiful family, my wife Linda, my partner and the love of my life, my children Shannen, Devin and Brian, and especially my personal saint, my daughter Kaitlin Breanne. My wife and family have been an inspiration, a sounding board, and quite often the real sponsor of my legislation as they have brought numerous constituent issues to my attention.

I would also like to offer special thanks and loving appreciation to my Father-in-Law, Walter Street Sr., a D-Day veteran and very wise man, who became my real father after my own father passed away over three decades ago. Also, I would be remiss if I didn't acknowledge the incredible and everlasting influence that my mother Stella Palmer had on my life. Her steadfast faith in God, support of the Roman Catholic Church, kind words for everyone, forgiveness for all, and unconditional love for her family and friends is what helped make me who I am. She provided me with my faith foundation, while my father, an immigrant from northern Italy helped me find my purpose in life. He taught me that you can be anything you want to be in this country, and that all is possible if you believe.

I want to express my heartfelt appreciation to the voters of the old 32nd and the current 36th Districts for believing in me and allowing me to represent them here. I am forever humbled by their faith in me, and I hope that I have served them well.

I'd also like to thank everyone who makes this chamber work. Not just all of the Members that I have had the privilege of serving with, but the Clerks, the Service Bureau, the Fiscal Agency, all of the central staff including Adam Stacey, Jenn Spike-DeBano, Deena Bosworth, and especially my own staff over the years, including Dave Jessup, Jenn Hayes, Justin Gray, Kelly Hoffmann, Jared Burkhart, Liz Gullett and the host of interns that made my office operate efficiently for seven years. Most importantly, I thank Phil Browne for his tireless efforts as my Chief of Staff, and political manager for the past ten years. His tenacity, creative policy capabilities, political awareness and insight has been invaluable. I believe Phil, and past central staffer Don Cooper, to be about the most capable staff in the Capitol that I have encountered in my years here.

Also, a special thank-you to the following:

The men in 'red' that protect us, serve us, and teach us civility and proper behavior, far more than what should be the norm. They are under-appreciated at times, and taken for granted all too often.

Gary Randall for his wisdom, guidance, professionalism, an uncanny ability to come up with the right procedure and answer to a rules issue at just the right time.

All of the Members of this august body whom I appreciate for their commitment to serve and who all love this great state in their own way.

All of those serving in the Michigan Senate that I served with in my first of four terms in the House, who taught me much and served as my mentors when I was on the fast-track that first year, 2002, with no orientation other than: 'the red button means no, and the green means yes' as succinctly put by representative Larry Julian, Speaker Pro-Tem.

I would like to thank my good friend, John Engler who I've known and worked with since his days in the Michigan Senate, one of the greatest Governors ever, anywhere, in America.

I would also like to thank our Michigan Supreme Court for their conservative interpretation of the Michigan Constitution, and their resolve to avoid any temptation to legislate rather than interpret. I believe that we have been fortunate to have the finest state Supreme Court in the land.

I am and may well be for a long time - the longest 'consecutive serving' member of the House since term limits were enacted, and have had the pleasure of serving under two Governors consecutively.

The issues that I am the most passionate about revolve around the sanctity of life, including the Partial-Birth Abortion Ban, the right of conscientious objection, opposition to the death penalty, and the marriage amendment. Without life, all other questions are moot.

I tried to serve my constituents by improving their quality of life. I am proud of the funds we secured to monitor the Clinton River Watershed and restore the rivers and beaches. We promoted Advance Life Support statewide, and in the process created tax relief for my constituents with these services by an average of \$400/year. We worked hard to protect our personal property rights accordance with the principles that our Founders' intended us to adhere to through facing down the DEQ, and working with the Save-Our Shoreline organization to implement a practical, realistic shoreline beach-grooming process. Throughout it all, I placed people first and politics, government and special interests second.

I spent four years chairing the House Education committee. In that time we reformed graduation requirements to provide our students with an education worth receiving, and a diploma that means something other than 'time served.' We revamped testing to make it relevant to students and encourage more to attend college. We made our schools safer by beefing up background checks on school employees to keep felons out. We addressed teen suicide issues, reformed ISD operations and hopefully made a positive impact on students throughout Michigan. Along with Representative Moolenaar, I helped promote math and science initiatives, which was sorely needed to bolster our K-12 standing internationally. I also tried to be the best possible advocate of Charter Schools and school choice legislation; and championed health insurance and pension reform legislation. Both issues prompted a 'Call of the House' much to the chagrin of both my fellow Republican and Democratic House Members. Finally we attempted to raise awareness regarding the necessity for teacher colleges to be able to turn out teachers that can 'teach to all children'

One of my biggest regrets echoes the lament of a great governor I had the privilege of serving under for a single year, John Engler. We didn't do enough to address the huge problems in the Detroit Schools. I grew up in Detroit. I graduated from Finney High School. Detroit was my home. I am simply saddened to see what a disaster the Detroit Public School system has become. It breaks my heart to see what was once a great system through the early 1970's has become. Union politics, cronyism and apathy have replaced the genuine care that was once a staple of that district.

As Education Chair, I reached out to the members of the Detroit Delegation in the House to see what we could do to improve the schools. The meetings I had were ultimately fruitless, though the Detroit Caucus whom I have a special fondness for, tried to come to grips with this dilemma. It's heartbreaking however, to see another generation of children wasted to power politics.

My other regrets include the failure of this Governor to sign a ban on partial birth abortion, and the failure of the Speaker and House leadership to take up my request to establish a permanent chapel in the Capitol, which was supported by almost every representative and senator that I presented it to.

On a day-to-day basis, my best moments were spent conducting prayers and the rosary before session each day since January of 2007. It helped to remind me of what was really important in this town. I will always treasure those moments, as well as my relationships with my friends, and those that I have worked with in Lansing for the good of this state. What was eternally important to me was the preservation of my integrity, and my mission to serve every citizen in this state rather than special interests, lobbyists, or worse, government itself.

As we look to the future for our state, we can be clear on one thing - our economic future is not bright. I can tell you this - no matter who has been in charge, we seem to avoid the real important issues and waste our time with political shenanigans and headline grabbers.

Despite our Lansing 'beltway environment', there are many good people here, and have been throughout my three and one half terms. Most often however, those who want real change, real structural changes in government, and a major change in the direction of this state, have been silenced and/or marginalized.

We need to 're-imagine' what our state and our citizens need to be successful. I firmly believe that we need to start with three major changes: Make Michigan a right-to-work state, more aptly called 'worker choice,' reign in the out-of-control bureaucracy by reforming JCAR with constitutional controls assuring that laws are properly implemented and enforced, and most importantly eliminate the outrageous tax and regulatory climate we have created that continue to drive people and industry out of our state.

We need to be bold going forward, and to stand for what is right, even when it's not politically expedient. The people of Michigan enacted term-limits in part to allow us the freedom to be bold, to act in the best interests of the State, and not be burdened with the politics of re-election. Many Members and those in the lobby corps lament that we do not have enough time to become experts in all things, or even a small number of things. Maybe that's not a bad thing. Our founders envisioned citizen lawmakers, a platform that I campaigned on when I ran for US Congress against David Bonior in 1998. In fact, Michigan's lawmakers didn't begin serving long periods until the mid 1960s. We can function as an effective body

if we set aside our complaining and dive in and tackle the issues that face us. Nothing holds us back except ourselves, and turning the blame to others doesn't help to correct the path to nowhere that Michigan is presently on.

I leave this challenge to the next legislature. I also hope that eventually Michigan will embrace the concept of a part-time legislature, with some mitigation of term limits as a proper balance. Be free of the constraints of narrow politics and reach forward for the good of all of our citizens. I believe bipartisanship and professional congeniality to be a good thing, but not at the expense of the 'debate', and the providing of alternative policies to our constituents, and options for our citizens. If this is considered partisan and obstructionist, so be it.

We cannot survive by protecting aging dinosaurs that refuse to acknowledge that world realities have changed. Both business and labor need to realize that the old models no longer apply and they need to move forward together. Government needs to do what it should do best - provide for basic infrastructure, enforce the law and protect our citizens from harm, and most importantly- get out of the way of those that truly drive our economy: individuals, entrepreneurs, small business, and other participants in the private sector. As one of our greatest Presidents so aptly stated over 25 years ago, 'government is not the solution, rather government is the problem'. The solution to improving our quality of life and our state is to have LESS government, and MORE empowering of our individual citizens, their freedoms, their rights, and embolden their ability to strive for the American Dream unfettered by excessive government regulation, bureaucratic dominance of our institutions, bloated government budgets, and those politicians whose primary mission seems to be 'to perpetuate government' and their jobs.

Again, thank you all for your indulgence. Finally, I would also like to offer my apologies to any and all that I may have offended over the years as a result of my sometimes overly driven or myopic policy passions.

*May Almighty God bless this chamber, all of its Members and their families, the great State of Michigan, and the United States of America."*

Rep. David Law:

"It has been an honor to serve in the Michigan House of Representatives. Serving in the same chamber that my two uncles, Gerry and Robert did is very special. It would not have been possible without the support of my family and friends. I would specifically like to thank my father, Tom Law; my mother, Sharon Law; and my sister, Julie Law. I am very blessed to have such a special family.

I am proud of the accomplishments I have achieved on behalf of the people of the great state of Michigan. I enjoyed serving on committees such as Judiciary, Commerce, and Insurance. Included among the eighteen bills I wrote that were signed into law, is Michigan's version of 'Jessica's Law' which significantly increased the penalties for sexual predators who prey on children. Also, the Medicaid Fraud Prevention Act, which roots out and punishes those criminals that are stealing from Medicaid. Others bills signed into law include:

HB 4528 (PA 35 of 05): Law to eliminate the statute of limitations for conspiracy to commit murder.

HB 5490 (PA 128 of 06) and HB 5824 (PA 130 of 06): Law to allow law enforcement to place forfeiture funds in interest bearing accounts for security purposes, and direct interest accrued towards law enforcement purposes.

HB 6075 (PA 454 of 06): A law to further secure our airports by increasing the penalties for trespassing on airport grounds.

HB 6271 (PA 544 of 06): A law to solidify the integrity of our courts by increasing the penalties for contempt of court.

These accomplishments would not have been possible without assistance of my staff. I would like to thank Mike Castiglione, Brett Visner, Mike Vogt, Pat Meyn, and Amanda Murley. The memories I have of the Legislature and the friends I made during my time here will live with me forever.

I will leave these chambers with the peace of knowing I tried to do what was right and maintain the values and integrity that my family instilled in me. The people of my district gave me a wonderful opportunity to serve them and I am forever grateful."

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Rep. Cheeks entered the House Chambers.

Rep. Cheeks:

"Thank You Mr. Speaker

First and foremost I would like to thank the 90,000 people of the 42nd district. For sending me to represent them these past six years.

Next my Family - Parents Frank and Mary Jane - Brothers Michael, Daniel and Paul and their families. My Children Amy, Jennifer and Frank and their Mother Mary Beth

My new extended family Dawn, and her Children Brianna and Brendan



My incredible staff present. Jenn Putney, Lindsay Willet, and past Lindsay Whitenight/Laforte now on the speakers staff, Andy McKinnon now an attorney, Sam Modlen now a Washington DC police officer

Over six years I made many friendships on both sides of the aisle - I believe if pressed I could share a personal antidote about each and every one of you. But as we are pressed for time I will not

I do need to thank my Macomb County Colleagues - Cousin Dan Acciavatti, Steve Bieda, Jack Brandenburg, Kim Meltzer, Fred Miller, Tory Rocca & My 1st term side kick Lisa Wojno.

Thank you Speaker Dillon – choosing me to lead the E & T Committee – Reeling me in when I got too far out there. But never being heavy handed or stifling the fire in my belly. You truly were the best choice for Speaker and that may have been the most important vote I cast in all the six years I have served here

Mike Nofs – For teaching me how to be Chairperson – for helping me move out of my comfort zone – helping me not only listen to those who agree with me but revealing in the growth from interacting with those who did not agree.

Detroit Caucus members past and present – who refreshed my hopes and dreams for the City of Detroit — all of you are a credit to your City.

I thought I knew everything when I got here to Lansing but what I learned was I didn't even know how much I didn't know. Thank you all for helping me learn that one never stops learning.

In parting a quote from Frank A. Clark

'If you find a path with no obstacles, it probably doesn't lead anywhere.'

Thank you it has been my pleasure to serve with you."

Rep. DeRoche:

"My friends, it has been a tremendous honor to accompany you on our quest to change Michigan for the better. As my term in the House comes to a close, I would like to offer a sincere thank you to the constituents of the 38th House District who put their great trust and confidence in me to serve them, to my caucus, who I have been honored to lead, to all the members of this chamber who sacrifice family and personal time to serve our state, and thank you to our great staff—on both sides of the aisle and the nonpartisan staff—who labor behind the scenes to help us tackle some of the most difficult challenges facing our state in generations. Thank you.

I'd also like to thank our governor. Governor Granholm - thank you for our friendship and for all that you have done for our state, and I look forward to the day our paths will cross again in the future.

This has been a challenging time for our state—but a time that has seen this body rise to the occasion to meet those challenges.

The negative sells newspapers—and I get that, but oftentimes we rise to the occasion and help sell those papers.

But on countless days throughout my six years as a member and a leader in this chamber, I have seen citizen legislators make a difference.

On these days, the Legislature proved their ability to do extraordinary things - including the work done to improve our state's education curriculum; the Michigan Promise Grant; the Higher Education funding formula; and reforms in welfare, Medicaid and our foster care system.

Let's remind ourselves that while our challenges are great—and on some days it seems like the whole world is gunning for our state—we can still do extraordinary things.

When I had the privilege of being sworn in as Speaker, I reminded my colleagues that we are the figurative decedents of Henry Ford, we are the guardians of the modern middle class, and we are the enduring legacy of that arsenal of democracy that helped save the globe from oppression and tyranny.

Ours is a proud history of accomplishment, courage, strength and ingenuity—and we all know that Michigan may be down, but she'll never be out.

Whether you will continue your service inside this chamber or out, let us all renew our commitment to serving our great state at her hour of need.

This job is a sacrifice but also a tremendous privilege—I could not be more grateful for the opportunity to serve as your Speaker, and then the Republican Leader—and I wish the best to Speaker Dillon and Leader Elsenheimer as they tackle the tough road ahead.

On a personal note—thank you to my beautiful wife Stacey. I am eternally grateful for your support and your love, for without it I could not have accomplished half of what we've done. Thank you for keeping me grounded, focused and in love. Thank you to my daughters, Carley, Zoe and Phoebe, who've grown up in the halls of the Capitol, for your support and understanding, and my parents, Anne and Paul DeRoche. Lastly, thank you to my staff, - Jim Holcomb, Jennifer Spike, Andy Anuzis, Mike Batterbee, Deena Bosworth, Babette Cook, Jason Brewer, Chris Hackbarth, Marcia Hune, Ruth Ann Jirasek, Scott Liggett, Terry Marquardt, Kate Miller, David Nyberg, Matt Resch, Cale Sauter, John Sellek, Scott Starr, Brandi Tribell, Phyllis Washburn and Shana Wycoff, and our policy and communications staffs - who have been strong leaders in advancing our ideas and our vision. I greatly appreciate everything all of you did to help further our cause.

To those who will return in January I offer my best wishes for future success. May God grant you the wisdom and strength to forge the difficult road ahead.

God Bless you and God Bless the state of Michigan."

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Tobocman moved that the Committee on Banking and Financial Services be discharged from further consideration of **Senate Bill No. 1020**.

(For first notice see House Journal No. 93, p. 3098.)

The question being on the motion made by Rep. Tobocman,

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### **Senate Bill No. 1020, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 426.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

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Rep. Hansen moved that Reps. Hune, David Law, Nofs and Sheen be excused temporarily from today's session.  
The motion prevailed.

Rep. Tobocman moved that Rep. Virgil Smith be excused temporarily from today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

#### **Senate Bill No. 1020, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 426.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 1116**

#### **Yeas—104**

Accavitti	Dean	Jones, Rick	Pavlov
Acciavatti	DeRoche	Jones, Robert	Pearce
Agema	Dillon	Knollenberg	Polidori
Amos	Donigan	Lahti	Proos
Angerer	Ebli	LaJoy	Robertson
Ball	Elsenheimer	Law, Kathleen	Rocca
Bauer	Emmons	LeBlanc	Sak
Bennett	Espinoza	Leland	Schuitmaker
Bieda	Farrah	Lemmons	Scott
Booher	Gaffney	Lindberg	Shaffer
Brandenburg	Garfield	Marleau	Sheltrown
Brown	Gillard	Mayes	Simpson
Byrnes	Gonzales	McDowell	Smith, Alma
Byrum	Green	Meadows	Spade
Calley	Griffin	Meekhof	Stahl
Casperson	Hammel	Meisner	Stakoe

Caswell	Hammon	Melton	Steil
Caul	Hansen	Meltzer	Tobocman
Cheeks	Hildenbrand	Moolenaar	Vagnozzi
Clack	Hood	Moore	Valentine
Clemente	Hoogendyk	Moss	Walker
Condino	Hopgood	Nitz	Ward
Constan	Horn	Opsommer	Warren
Corriveau	Huizenga	Palmer	Wenke
Coulouris	Jackson	Palsrok	Wojno
Cushingberry	Johnson	Pastor	Young

**Nays—0**

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### **Second Reading of Bills**

#### **Senate Bill No. 674, entitled**

A bill to amend 1968 PA 251, entitled “Cemetery regulation act,” by amending the title and sections 2, 2a, 8, 9, 10, 12, 12a, 13, 15, 16, 18, and 21 (MCL 456.522, 456.522a, 456.528, 456.529, 456.530, 456.532, 456.532a, 456.533, 456.535, 456.536, 456.538, and 456.541), the title and sections 2, 8, 9, 10, 12, 12a, 13, 15, 16, 18, and 21 as amended by 2004 PA 22 and section 2a as added by 1982 PA 132, and by adding sections 9a, 9b, and 13a; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Regulatory Reform,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Farrah moved to amend the bill as follows:

1. Amend page 8, line 14, after “section” by inserting “**OR SECTION 2926A OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.2926A,**”.

2. Amend page 30, following line 1, by inserting:

“Enacting section 2. This amendatory act does not take effect unless House Bill No. 6036 of the 94th Legislature is enacted into law.”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 674, entitled**

A bill to amend 1968 PA 251, entitled “Cemetery regulation act,” by amending the title and sections 2, 2a, 8, 9, 10, 12, 12a, 13, 15, 16, 18, and 21 (MCL 456.522, 456.522a, 456.528, 456.529, 456.530, 456.532, 456.532a, 456.533, 456.535, 456.536, 456.538, and 456.541), the title and sections 2, 8, 9, 10, 12, 12a, 13, 15, 16, 18, and 21 as amended

by 2004 PA 22 and section 2a as added by 1982 PA 132, and by adding sections 9a, 9b, and 13a; and to repeal acts and parts of acts.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1117****Yeas—105**

Accavitti	DeRoche	Jones, Robert	Polidori
Acciavatti	Dillon	Lahti	Proos
Agema	Donigan	LaJoy	Robertson
Amos	Ebli	Law, Kathleen	Rocca
Angerer	Elsenheimer	LeBlanc	Sak
Ball	Emmons	Leland	Schuitmaker
Bauer	Espinoza	Lemmons	Scott
Bennett	Farrah	Lindberg	Shaffer
Bieda	Gaffney	Marleau	Sheen
Booher	Gillard	Mayes	Sheltrown
Brandenburg	Gonzales	McDowell	Simpson
Brown	Green	Meadows	Smith, Alma
Byrnes	Griffin	Meekhof	Smith, Virgil
Byrum	Hammel	Meisner	Spade
Calley	Hammon	Melton	Stahl
Casperson	Hansen	Meltzer	Stakoe
Caswell	Hildenbrand	Moolenaar	Steil
Caul	Hood	Moore	Tobocman
Cheeks	Hoogendyk	Nitz	Vagnozzi
Clack	Hopgood	Nofs	Valentine
Clemente	Horn	Opsommer	Walker
Condino	Huizenga	Palmer	Ward
Constan	Hune	Palsrok	Warren
Corriveau	Jackson	Pastor	Wenke
Coulouris	Johnson	Pavlov	Wojno
Cushingberry	Jones, Rick	Pearce	Young
Dean			

**Nays—3**

Garfield

Knollenberg

Moss

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to regulate the creation and management of cemeteries; to provide for a cemetery commissioner, and to prescribe the powers and duties of the commissioner; to require the registration and audit of cemeteries; to provide for long-term care of certain cemeteries; to regulate persons selling burial, entombment, or columbarium rights; and to prescribe remedies and penalties.”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

**Second Reading of Bills****Senate Bill No. 152, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 3902 (MCL 324.3902).

The bill was read a second time.



Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.  
 The motion prevailed.  
 Rep. Tobocman moved that the bill be placed on its immediate passage.  
 The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**Senate Bill No. 152, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 3902 (MCL 324.3902).

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1118**

**Yeas—103**

Accavitti	DeRoche	Lahti	Polidori
Acciavatti	Dillon	LaJoy	Proos
Amos	Donigan	Law, David	Robertson
Angerer	Ebli	Law, Kathleen	Rocca
Ball	Elsenheimer	LeBlanc	Sak
Bauer	Emmons	Leland	Schuitmaker
Bennett	Espinoza	Lemmons	Scott
Bieda	Farrah	Lindberg	Shaffer
Booher	Gaffney	Marleau	Sheltrown
Brandenburg	Gillard	Mayes	Simpson
Brown	Gonzales	McDowell	Smith, Alma
Byrnes	Green	Meadows	Smith, Virgil
Byrum	Griffin	Meekhof	Spade
Calley	Hammel	Meisner	Stahl
Casperson	Hammon	Melton	Stakoe
Caswell	Hansen	Meltzer	Steil
Caul	Hildenbrand	Moolenaar	Tobocman
Cheeks	Hood	Moore	Vagnozzi
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nitz	Walker
Condino	Huizenga	Nofs	Ward
Constan	Hune	Opsommer	Warren
Corriveau	Jackson	Palsrok	Wenke
Coulouris	Johnson	Pastor	Wojno
Cushingberry	Jones, Rick	Pavlov	Young
Dean	Jones, Robert	Pearce	

**Nays—6**

Agema	Hoogendyk	Palmer	Sheen
Garfield	Knollenberg		

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the

environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 362, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 3902 (MCL 324.3902).

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

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Rep. Hood moved that Rep. Gillard be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 362, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 3902 (MCL 324.3902).

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1119

#### Yeas—102

Accavitti	DeRoche	LaJoy	Polidori
Acciavatti	Dillon	Law, David	Proos
Amos	Donigan	Law, Kathleen	Robertson
Angerer	Ebli	LeBlanc	Rocca
Ball	Elsenheimer	Leland	Sak
Bauer	Emmons	Lemmons	Schuitmaker
Bennett	Espinoza	Lindberg	Scott
Bieda	Farrah	Marleau	Shaffer
Booher	Gaffney	Mayes	Sheltrown
Brandenburg	Gonzales	McDowell	Simpson
Brown	Green	Meadows	Smith, Alma
Byrnes	Griffin	Meekhof	Smith, Virgil
Byrum	Hammel	Meisner	Spade
Calley	Hammon	Melton	Stahl
Casperson	Hansen	Meltzer	Stakoe
Caswell	Hildenbrand	Moolenaar	Steil
Caul	Hood	Moore	Tobocman
Cheeks	Hopgood	Moss	Vagnozzi
Clack	Horn	Nitz	Valentine

Clemente	Huizenga	Nofs	Walker
Condino	Hune	Opsommer	Ward
Constan	Jackson	Palsrok	Warren
Corriveau	Johnson	Pastor	Wenke
Coulouris	Jones, Rick	Pavlov	Wojno
Cushingberry	Jones, Robert	Pearce	Young
Dean	Lahti		

### Nays—6

Agema	Hoogendyk	Palmer	Sheen
Garfield	Knollenberg		

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 343, entitled

A bill to amend 1981 PA 125, entitled “The secondary mortgage loan act,” by amending section 27 (MCL 493.77), as amended by 1997 PA 91.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Banking and Financial Services,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Coulouris moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Farrah moved to amend the bill as follows:

1. Amend page 3, following line 21, by inserting:

“(c) House Bill No. 6148.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 343, entitled

A bill to amend 1981 PA 125, entitled “The secondary mortgage loan act,” by amending section 27 (MCL 493.77), as amended by 1997 PA 91.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1120****Yeas—108**

Accavitti	DeRoche	Jones, Robert	Pavlov
Acciavatti	Dillon	Knollenberg	Pearce
Agema	Donigan	Lahti	Polidori
Amos	Ebli	LaJoy	Proos
Angerer	Elsenheimer	Law, David	Robertson
Ball	Emmons	Law, Kathleen	Rocca
Bauer	Espinoza	LeBlanc	Sak
Bennett	Farrah	Leland	Schuitmaker
Bieda	Gaffney	Lemmons	Scott
Booher	Garfield	Lindberg	Shaffer
Brandenburg	Gillard	Marleau	Sheen
Brown	Gonzales	Mayes	Sheltrown
Byrnes	Green	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Spade
Casperson	Hammon	Meisner	Stahl
Caswell	Hansen	Melton	Stakoe
Caul	Hildenbrand	Meltzer	Steil
Cheeks	Hood	Moolenaar	Tobocman
Clack	Hoogendyk	Moore	Vagnozzi
Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nitz	Walker
Constan	Huizenga	Nofs	Ward
Corriveau	Hune	Opsommer	Warren
Coulouris	Jackson	Palmer	Wenke
Cushingberry	Johnson	Palsrok	Wojno
Dean	Jones, Rick	Pastor	Young

**Nays—0**

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to regulate secondary mortgage loans; to prescribe powers and duties of certain state agencies and officials; to require certain fees; to provide for the establishment of a revolving fund; to provide for the promulgation of rules; and to prescribe civil fines and penalties,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

**Second Reading of Bills****Senate Bill No. 356, entitled**

A bill to amend 1987 PA 173, entitled “Mortgage brokers, lenders, and servicers licensing act,” by amending section 29 (MCL 445.1679), as amended by 1996 PA 210.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Banking and Financial Services,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Farrah moved to amend the bill as follows:

1. Amend page 6, following line 24, by inserting:

“(c) House Bill No. 6148.”

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 356, entitled**

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 29 (MCL 445.1679), as amended by 1996 PA 210.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 1121**

#### **Yeas—107**

Accavitti	Dillon	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lemmons	Scott
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Spade
Calley	Hammon	Meisner	Stahl
Casperson	Hansen	Melton	Stakoe
Caswell	Hildenbrand	Meltzer	Steil
Caul	Hood	Moolenaar	Tobocman
Cheeks	Hoogendyk	Moore	Vagnozzi
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nitz	Walker
Constan	Huizenga	Nofs	Ward
Corriveau	Hune	Opsommer	Warren
Coulouris	Jackson	Palmer	Wenke
Cushingberry	Johnson	Palsrok	Wojno
Dean	Jones, Rick	Pastor	Young
DeRoche	Jones, Robert	Pavlov	

#### **Nays—1**

Condino

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1987 PA 173, entitled "An act to define and regulate mortgage brokers, mortgage lenders, and mortgage servicers and their loan officers; to prescribe the powers and duties of certain public officers and agencies; to provide for

the promulgation of rules; and to provide remedies and penalties,” by amending section 29 (MCL 445.1679), as amended by 2008 PA 71.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1420, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 3 (MCL 722.623), as amended by 2006 PA 583.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Families and Children’s Services,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1420, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 3 (MCL 722.623), as amended by 2006 PA 583.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1122

### Yeas—109

Accavitti	Dillon	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lemmons	Scott
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Vagnozzi
Clemente	Horn	Nitz	Valentine
Condino	Huizenga	Nofs	Walker
Constan	Hune	Opsommer	Ward
Corriveau	Jackson	Palmer	Warren

Coulouris  
Cushingberry  
Dean  
DeRoche

Johnson  
Jones, Rick  
Jones, Robert

Palsrok  
Pastor  
Pavlov

Wenke  
Wojno  
Young

### Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1421, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” (MCL 722.621 to 722.638) by adding section 8e.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Families and Children’s Services,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Clack moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1421, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” (MCL 722.621 to 722.638) by adding section 8e.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1123

### Yeas—109

Accavitti  
Acciavatti  
Agema  
Amos  
Angerer

Dillon  
Donigan  
Ebli  
Elsenheimer  
Emmons

Knollenberg  
Lahti  
LaJoy  
Law, David  
Law, Kathleen

Pearce  
Polidori  
Proos  
Robertson  
Rocca

Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lemmons	Scott
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Vagnozzi
Clemente	Horn	Nitz	Valentine
Condino	Huizenga	Nofs	Walker
Constan	Hune	Opsommer	Ward
Corriveau	Jackson	Palmer	Warren
Coulouris	Johnson	Palsrok	Wenke
Cushingberry	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche			

### Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Judiciary be discharged from further consideration of **House Resolution No. 405**.

The motion prevailed, a majority of the members serving voting therefor.

The Speaker laid before the House

### House Resolution No. 405.

A resolution to express the sense of the House that the sentence of life without parole for those under 18 should be abolished.



(For text of resolution, see House Journal No. 65, p. 1868.)

(The resolution was discharged from the Committee on Judiciary on December 18.)

The question being on the adoption of the resolution,

Rep. Warren moved to substitute (H-1) the resolution as follows:

**Substitute for House Resolution No. 405.**

A resolution to express the sense of the House that the sentence of life without parole for those under 18 is an important issue that requires serious consideration and deliberation by the Legislature.

Whereas, Michigan youth may be sentenced to life without the possibility of parole. Such a sentence condemns the youth to a miserable and dangerous existence, and where the goal of rehabilitation is realized, does nothing to enhance public safety; and

Whereas, Sentencing youth as adults violates the core principle of the juvenile justice system, which traditionally recognizes that juveniles are less mature socially and biologically than adults, and therefore should not be held to the same standards as adults. Science, especially brain and child development studies, demonstrates that the parts of the brain that regulate aggression and impulse inhibition are not fully developed in juveniles; and

Whereas, These life sentences have extreme social and monetary costs. The opportunity for such young persons to reform and make a positive contribution to society is severely, if not completely eliminated. A life sentence for persons who are so young puts a tremendous burden on taxpayers, who must pay tens of thousands of dollars per year to house each prisoner for decades; now, therefore, be it

Resolved by the House of Representatives, That we express the sense of the House that the sentence of life without parole for those under 18 is an important issue that requires serious consideration and deliberation by the Legislature.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

Rep. Warren demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

Rep. Warren moved to withdraw her demand for the yeas and nays.

The motion prevailed.

The question being on the adoption of the resolution,

The resolution was adopted.

### **Second Reading of Bills**

**Senate Bill No. 84, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1068.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Transportation,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

**Senate Bill No. 84, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1068.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### **Roll Call No. 1124**

### **Yeas—109**

Accavitti  
Acciavatti

Dillon  
Donigan

Knollenberg  
Lahti

Pearce  
Polidori

Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lemmons	Scott
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Vagnozzi
Clemente	Horn	Nitz	Valentine
Condino	Huizenga	Nofs	Walker
Constan	Hune	Opsommer	Ward
Corriveau	Jackson	Palmer	Warren
Coulouris	Johnson	Palsrok	Wenke
Cushingberry	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche			

### Nays—0

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 2001 PA 142, entitled “An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions,” (MCL 250.1001 to 250.2080) by adding section 1067.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 921, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16345, 18301, 18303, 18305, 18307, and 18309 (MCL 333.16345, 333.18301, 333.18303, 333.18305, 333.18307, and 333.18309), section 16345 as added by 1993 PA 79, sections 18301, 18303, 18307, and 18309 as added by 1988 PA 473, and section 18305 as amended by 2006 PA 394, and by adding sections 18313 and 18315.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Health Policy,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Angerer moved to amend the bill as follows:

1. Amend page 6, line 22, by striking out all of subdivision (D) and inserting:

“(D) A PARKS AND RECREATION PROFESSIONAL WHO IS DIRECTLY EMPLOYED BY A LOCAL UNIT OF GOVERNMENT OR A THERAPEUTIC RECREATION SPECIALIST CERTIFIED BY THE NATIONAL

**COUNCIL FOR THERAPEUTIC RECREATION CERTIFICATION FROM PROVIDING SERVICES IF HE OR SHE DOES NOT REPRESENT OR HOLD HIMSELF OR HERSELF OUT TO BE A LICENSED OCCUPATIONAL THERAPIST OR OCCUPATIONAL THERAPY ASSISTANT.”.**

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 921, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16345, 18301, 18303, 18305, 18307, and 18309 (MCL 333.16345, 333.18301, 333.18303, 333.18305, 333.18307, and 333.18309), section 16345 as added by 1993 PA 79, sections 18301, 18303, 18307, and 18309 as added by 1988 PA 473, and section 18305 as amended by 2006 PA 394, and by adding sections 18313 and 18315.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1125**

**Yeas—83**

Accavitti	Dean	Jones, Rick	Proos
Acciavatti	Dillon	Jones, Robert	Rocca
Angerer	Donigan	Lahti	Sak
Ball	Ebli	LaJoy	Schuitmaker
Bauer	Espinoza	Law, David	Scott
Bennett	Farrah	Law, Kathleen	Shaffer
Bieda	Gaffney	LeBlanc	Sheltrown
Brandenburg	Gillard	Leland	Simpson
Brown	Gonzales	Lemmons	Smith, Alma
Byrnes	Green	Lindberg	Smith, Virgil
Byrum	Griffin	Marleau	Spade
Casperson	Hammel	Mayes	Steil
Caul	Hammon	McDowell	Tobocman
Cheeks	Hansen	Meadows	Vagnozzi
Clack	Hildenbrand	Meisner	Valentine
Clemente	Hood	Melton	Ward
Condino	Hopgood	Nofs	Warren
Constan	Horn	Opsommer	Wenke
Corriveau	Hune	Palsrok	Wojno
Coulouris	Jackson	Pavlov	Young
Cushingberry	Johnson	Polidori	

**Nays—26**

Agema	Emmons	Moolenaar	Pearce
Amos	Garfield	Moore	Robertson
Booher	Hoogendyk	Moss	Sheen
Calley	Huizenga	Nitz	Stahl
Caswell	Knollenberg	Palmer	Stakoe
DeRoche	Meekhof	Pastor	Walker
Elsenheimer	Meltzer		

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 882, entitled

A bill to amend 1993 PA 327, entitled “Tobacco products tax act,” by amending sections 7 and 8 (MCL 205.427 and 205.428), section 7 as amended by 2004 PA 164 and section 8 as amended by 2005 PA 238.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Commerce,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 882, entitled

A bill to amend 1993 PA 327, entitled “Tobacco products tax act,” by amending sections 7 and 8 (MCL 205.427 and 205.428), section 7 as amended by 2004 PA 164 and section 8 as amended by 2005 PA 238.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1126

#### Yeas—108

Accavitti	DeRoche	Knollenberg	Pearce
Acciavatti	Dillon	Lahti	Polidori
Agema	Donigan	LaJoy	Proos
Amos	Ebli	Law, David	Robertson
Angerer	Elsenheimer	Law, Kathleen	Rocca
Ball	Emmons	LeBlanc	Sak
Bauer	Espinoza	Leland	Schuitmaker
Bennett	Farrah	Lemmons	Scott
Bieda	Gaffney	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown

Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Vagnozzi
Clemente	Horn	Nitz	Valentine
Condino	Huizenga	Nofs	Walker
Constan	Hune	Opsommer	Ward
Corriveau	Jackson	Palmer	Warren
Coulouris	Johnson	Palsrok	Wenke
Cushingberry	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young

### Nays—1

Garfield

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for a tax upon the sale and distribution of tobacco products; to regulate and license manufacturers, wholesalers, secondary wholesalers, vending machine operators, unclassified acquirers, transportation companies, transporters, and retailers of tobacco products; to prescribe the powers and duties of the revenue division and the department of treasury in regard to tobacco products; to provide for the administration, collection, and disposition of the tax; to levy an assessment; to provide for the administration, collection, defense, and disposition of the assessment; to provide for the enforcement of this act; to provide for the appointment of special investigators as peace officers for the enforcement of this act; to prescribe penalties and provide remedies for the violation of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 883, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 3 (MCL 205.53), as amended by 2004 PA 173.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Commerce,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Meisner moved to amend the bill as follows:

1. Amend page 4, line 12, after “(7)” by striking out “**IF**” and inserting “**NOTWITHSTANDING SECTION 28(1)(F) OF 1941 PA 122, MCL 205.28, IF**”.

2. Amend page 4, line 13, after the second “**THIS**” by striking out “**SUBSECTION**” and inserting “**SECTION**”.

3. Amend page 4, line 18, after “**MCL 205.428,**” by inserting “**WHICH VIOLATION RESULTED IN A SEIZURE OF TOBACCO PRODUCTS UNDER SECTION 9 OF THE TOBACCO PRODUCTS LIABILITY ACT, 1993 PA 327, MCL 205.429,**”.

4. Amend page 4, line 21, after “**THAN**” by inserting “**AN AGGREGATE RETAIL VALUE OF**”.

5. Amend page 4, line 23, after “**MORE**” by inserting “**IN AGGREGATE RETAIL VALUE**”.
6. Amend page 4, line 27, after “**THAN**” by inserting “**AN AGGREGATE RETAIL VALUE OF**”.
7. Amend page 5, line 2, after “**MORE**” by inserting “**IN AGGREGATE RETAIL VALUE**”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 883, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 3 (MCL 205.53), as amended by 2004 PA 173.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Tobocman moved that consideration of the bill be postponed temporarily.

The motion prevailed.

### **Second Reading of Bills**

#### **Senate Bill No. 1597, entitled**

A bill to amend 2005 PA 210, entitled “Commercial rehabilitation act,” by amending sections 2 and 10 (MCL 207.842 and 207.850), section 2 as amended by 2008 PA 231.

The bill was read a second time.

Rep. Tobocman moved to amend the bill as follows:

1. Amend page 5, following line 10, by inserting:

“Sec. 8. (1) If the taxable value of the property proposed to be exempt pursuant to an application under consideration, considered together with the aggregate taxable value of property exempt under certificates previously granted and currently in force under this act or under 1974 PA 198, MCL 207.551 to 207.572, exceeds 5% of the taxable value of the qualified local governmental unit, the legislative body of the qualified local governmental unit shall make a separate finding and shall include a statement in its resolution approving the application that exceeding that amount shall not have the effect of substantially impeding the operation of the qualified local governmental unit or impairing the financial soundness of an affected taxing unit.

(2) The legislative body of the qualified local governmental unit shall not approve an application for a commercial rehabilitation exemption certificate unless the applicant complies with all of the following requirements:

(a) Except as otherwise provided in this subdivision, the commencement of the rehabilitation of the qualified facility does not occur earlier than 6 months before the applicant files the application for the commercial rehabilitation exemption certificate. However, through December 31, 2009, for a qualified facility that is a qualified retail food establishment, the commencement of the rehabilitation does not occur earlier than ~~36~~**38** months before the applicant files the application for the commercial rehabilitation exemption certificate.

(b) The application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of this act and that shall be situated within a commercial rehabilitation district established in a qualified local governmental unit eligible under this act.

(c) Completion of the qualified facility is calculated to, and will at the time of issuance of the certificate have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the qualified facility is situated.

(d) The applicant states, in writing, that the rehabilitation of the qualified facility, excluding qualified retail food establishments through December 31, 2009, would not be undertaken without the applicant’s receipt of the exemption certificate.

(e) The applicant is not delinquent in the payment of any taxes related to the qualified facility.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.



Rep. Tobocman moved to amend the bill as follows:

1. Amend page 5, following line 10, by inserting:

“Sec. 8. (1) If the taxable value of the property proposed to be exempt pursuant to an application under consideration, considered together with the aggregate taxable value of property exempt under certificates previously granted and currently in force under this act or under 1974 PA 198, MCL 207.551 to 207.572, exceeds 5% of the taxable value of the qualified local governmental unit, the legislative body of the qualified local governmental unit shall make a separate finding and shall include a statement in its resolution approving the application that exceeding that amount shall not have the effect of substantially impeding the operation of the qualified local governmental unit or impairing the financial soundness of an affected taxing unit.

(2) The legislative body of the qualified local governmental unit shall not approve an application for a commercial rehabilitation exemption certificate unless the applicant complies with all of the following requirements:

(a) Except as otherwise provided in this subdivision, the commencement of the rehabilitation of the qualified facility does not occur earlier than 6 months before the applicant files the application for the commercial rehabilitation exemption certificate. However, through December 31, 2009, for a qualified facility that is a qualified retail food establishment, the commencement of the rehabilitation does not occur earlier than ~~36~~**42** months before the applicant files the application for the commercial rehabilitation exemption certificate.

(b) The application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of this act and that shall be situated within a commercial rehabilitation district established in a qualified local governmental unit eligible under this act.

(c) Completion of the qualified facility is calculated to, and will at the time of issuance of the certificate have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the qualified facility is situated.

(d) The applicant states, in writing, that the rehabilitation of the qualified facility, excluding qualified retail food establishments through December 31, 2009, would not be undertaken without the applicant's receipt of the exemption certificate.

(e) The applicant is not delinquent in the payment of any taxes related to the qualified facility.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 1597, entitled**

A bill to amend 2005 PA 210, entitled “Commercial rehabilitation act,” by amending sections 2 and 10 (MCL 207.842 and 207.850), section 2 as amended by 2008 PA 231.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 1127**

#### **Yeas—109**

Accavitti	Dillon	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lemmons	Scott
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayer	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil

Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Vagnozzi
Clemente	Horn	Nitz	Valentine
Condino	Huizenga	Nofs	Walker
Constan	Hune	Opsommer	Ward
Corriveau	Jackson	Palmer	Warren
Coulouris	Johnson	Palsrok	Wenke
Cushingberry	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche			

### Nays—0

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 2005 PA 210, entitled “An act to provide for the establishment of commercial rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain qualified facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local governmental officials; and to provide penalties,” by amending sections 2, 8, and 10 (MCL 207.842, 207.848, and 207.850), sections 2 and 8 as amended by 2008 PA 231.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1253, entitled

A bill to amend 1943 PA 20, entitled “An act relative to the investment of funds of public corporations of the state; and to validate certain investments,” (MCL 129.91 to 129.96) by adding section 7.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Intergovernmental, Urban and Regional Affairs,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1253, entitled

A bill to amend 1943 PA 20, entitled “An act relative to the investment of funds of public corporations of the state; and to validate certain investments,” (MCL 129.91 to 129.96) by adding section 7.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:



**Roll Call No. 1128****Yeas—93**

Accavitti	Dillon	Knollenberg	Pavlov
Acciavatti	Donigan	LaJoy	Pearce
Agema	Ebli	Law, David	Polidori
Angerer	Elsenheimer	Law, Kathleen	Proos
Ball	Emmons	LeBlanc	Sak
Bauer	Espinoza	Leland	Schuitmaker
Bennett	Farrah	Lemmons	Scott
Bieda	Gaffney	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheltrown
Brown	Gonzales	Mayes	Simpson
Byrnes	Green	McDowell	Smith, Alma
Byrum	Griffin	Meadows	Smith, Virgil
Calley	Hammel	Meekhof	Spade
Casperson	Hammon	Meisner	Stakoe
Caul	Hansen	Melton	Steil
Cheeks	Hildenbrand	Moolenaar	Tobocman
Clack	Hood	Moore	Vagnozzi
Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nitz	Walker
Constan	Jackson	Nofs	Ward
Corriveau	Johnson	Palmer	Warren
Coulouris	Jones, Rick	Palsrok	Wojno
Cushingberry	Jones, Robert	Pastor	Young
Dean			

**Nays—16**

Amos	Garfield	Lahti	Rocca
Brandenburg	Hoogendyk	Meltzer	Sheen
Caswell	Huizenga	Opsommer	Stahl
DeRoche	Hune	Robertson	Wenke

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," (MCL 129.91 to 129.97) by adding section 7a.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

**Second Reading of Bills****Senate Bill No. 1345, entitled**

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 12 (MCL 78.12).

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

Rep. Proos moved that Rep. Acciavatti be excused temporarily from today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**Senate Bill No. 1345, entitled**

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 12 (MCL 78.12).

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1129**

**Yeas—108**

Accavitti	Dillon	Knollenberg	Pearce
Agema	Donigan	Lahti	Polidori
Amos	Ebli	LaJoy	Proos
Angerer	Elsenheimer	Law, David	Robertson
Ball	Emmons	Law, Kathleen	Rocca
Bauer	Espinoza	LeBlanc	Sak
Bennett	Farrah	Leland	Schuitmaker
Bieda	Gaffney	Lemmons	Scott
Booher	Garfield	Lindberg	Shaffer
Brandenburg	Gillard	Marleau	Sheen
Brown	Gonzales	Mayes	Sheltrown
Byrnes	Green	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Smith, Virgil
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Cheeks	Hood	Moolenaar	Steil
Clack	Hoogendyk	Moore	Tobocman
Clemente	Hopgood	Moss	Vagnozzi
Condino	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker
Corriveau	Hune	Opsommer	Ward
Coulouris	Jackson	Palmer	Warren
Cushingberry	Johnson	Palsrok	Wenke
Dean	Jones, Rick	Pastor	Wojno
DeRoche	Jones, Robert	Pavlov	Young

**Nays—0**

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to provide for the incorporation of villages and for revising and amending their charters; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness; to validate bonds issued and obligations previously incurred; and to prescribe penalties and provide remedies,"

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1346, entitled

A bill to amend 1968 PA 191, entitled “An act to create a state boundary commission; to prescribe its powers and duties; to provide for municipal incorporation, consolidation, and annexation; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 17 (MCL 123.1017).

The bill was read a second time.

Rep. Byrum moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1346, entitled

A bill to amend 1968 PA 191, entitled “An act to create a state boundary commission; to prescribe its powers and duties; to provide for municipal incorporation, consolidation, and annexation; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 17 (MCL 123.1017).

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1130

#### Yeas—108

Accavitti	Dillon	Knollenberg	Pearce
Agema	Donigan	Lahti	Polidori
Amos	Ebli	LaJoy	Proos
Angerer	Elsenheimer	Law, David	Robertson
Ball	Emmons	Law, Kathleen	Rocca
Bauer	Espinoza	LeBlanc	Sak
Bennett	Farrah	Leland	Schuitmaker
Bieda	Gaffney	Lemmons	Scott
Booher	Garfield	Lindberg	Shaffer
Brandenburg	Gillard	Marleau	Sheen
Brown	Gonzales	Mayes	Sheltrown
Byrnes	Green	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Smith, Virgil
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Cheeks	Hood	Moolenaar	Steil
Clack	Hoogendyk	Moore	Tobocman
Clemente	Hopgood	Moss	Vagnozzi
Condino	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker
Corriveau	Hune	Opsommer	Ward
Coulouris	Jackson	Palmer	Warren

Cushingberry  
Dean  
DeRoche

Johnson  
Jones, Rick  
Jones, Robert

Palsrok  
Pastor  
Pavlov

Wenke  
Wojno  
Young

### Nays—0

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

A bill to amend 1968 PA 191, entitled “An act to create a state boundary commission; to prescribe its powers and duties; to provide for municipal incorporation, consolidation, and annexation; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 10 and 17 (MCL 123.1010 and 123.1017).

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1347, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 16 (MCL 117.16).

The bill was read a second time.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1347, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 16 (MCL 117.16).

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1131

### Yeas—108

Accavitti  
Agema  
Amos  
Angerer  
Ball  
Bauer  
Bennett  
Bieda  
Booher  
Brandenburg  
Brown  
Byrnes

Dillon  
Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza  
Farrah  
Gaffney  
Garfield  
Gillard  
Gonzales  
Green

Knollenberg  
Lahti  
LaJoy  
Law, David  
Law, Kathleen  
LeBlanc  
Leland  
Lemmons  
Lindberg  
Marleau  
Mayes  
McDowell

Pearce  
Polidori  
Proos  
Robertson  
Rocca  
Sak  
Schuitmaker  
Scott  
Shaffer  
Sheen  
Sheltrown  
Simpson

Byrum	Griffin	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Smith, Virgil
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Cheeks	Hood	Moolenaar	Steil
Clack	Hoogendyk	Moore	Tobocman
Clemente	Hopgood	Moss	Vagnozzi
Condino	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker
Corriveau	Hune	Opsommer	Ward
Coulouris	Jackson	Palmer	Warren
Cushingberry	Johnson	Palsrok	Wenke
Dean	Jones, Rick	Pastor	Wojno
DeRoche	Jones, Robert	Pavlov	Young

### Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; to prescribe penalties and provide remedies; and to repeal acts and parts of acts on specific dates,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1066, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding sections 3a and 320d.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2)\* previously recommended by the Committee on Judiciary,

The substitute (H-2)\* was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that consideration of the bill be postponed temporarily.

The motion prevailed.

#### Senate Bill No. 635, entitled

A bill to amend 1917 PA 167, entitled “Housing law of Michigan,” by amending sections 1 and 126 (MCL 125.401 and 125.526), section 126 as amended by 2000 PA 479.

The bill was read a second time.

Rep. Byrum moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 635, entitled**

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending sections 1 and 126 (MCL 125.401 and 125.526), section 126 as amended by 2000 PA 479.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1132**

**Yeas—108**

Accavitti	DeRoche	Jones, Robert	Pavlov
Acciavatti	Dillon	Knollenberg	Pearce
Agema	Donigan	Lahti	Polidori
Amos	Ebli	LaJoy	Proos
Angerer	Elsenheimer	Law, David	Robertson
Ball	Emmons	Law, Kathleen	Rocca
Bauer	Espinoza	LeBlanc	Sak
Bennett	Farrah	Leland	Schuitmaker
Bieda	Gaffney	Lemmons	Scott
Booher	Garfield	Lindberg	Shaffer
Brandenburg	Gillard	Marleau	Sheen
Brown	Gonzales	Mayes	Simpson
Byrnes	Green	McDowell	Smith, Alma
Byrum	Griffin	Meadows	Smith, Virgil
Calley	Hammel	Meekhof	Spade
Casperson	Hammon	Meisner	Stahl
Caswell	Hansen	Melton	Stakoe
Caul	Hildenbrand	Meltzer	Steil
Cheeks	Hood	Moolenaar	Tobocman
Clack	Hoogendyk	Moore	Vagnozzi
Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nitz	Walker
Constan	Huizenga	Nofs	Ward
Corriveau	Hune	Opsommer	Warren
Coulouris	Jackson	Palmer	Wenke
Cushingberry	Johnson	Palsrok	Wojno
Dean	Jones, Rick	Pastor	Young

**Nays—1**

Sheltrown

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to promote the health, safety and welfare of the people by regulating the maintenance, alteration, health, safety, and improvement of dwellings; to define the classes of dwellings affected by the act, and to establish administrative requirements; to prescribe procedures for the maintenance, improvement, or demolition of certain commercial buildings; to establish remedies; to provide for enforcement; to provide for the demolition of certain dwellings; and to fix penalties for the violation of this act;"

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

**Second Reading of Bills****Senate Bill No. 1193, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 356a (MCL 750.356a), as amended by 1998 PA 311.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 91, p. 2945),

The amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

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Rep. Tobocman moved that Rep. Condino be excused temporarily from today’s session.

The motion prevailed.

Rep. Meekhof moved that Rep. David Law be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 1193, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 356a (MCL 750.356a), as amended by 1998 PA 311.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1133****Yeas—105**

Accavitti	Donigan	Knollenberg	Polidori
Acciavatti	Ebli	Lahti	Proos
Amos	Elsenheimer	LaJoy	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lemmons	Scott
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Vagnozzi
Clemente	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker
Corriveau	Hune	Opsommer	Ward



Coulouris  
Cushingberry  
Dean  
DeRoche  
Dillon

Jackson  
Johnson  
Jones, Rick  
Jones, Robert

Palsrok  
Pastor  
Pavlov  
Pearce

Warren  
Wenke  
Wojno  
Young

### Nays—2

Agema

Palmer

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1419, entitled

A bill to amend 1982 PA 294, entitled “Friend of the court act,” by amending section 20 (MCL 552.520), as added by 1996 PA 366.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1419, entitled

A bill to amend 1982 PA 294, entitled “Friend of the court act,” by amending section 20 (MCL 552.520), as added by 1996 PA 366.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1134

### Yeas—109

Accavitti  
Acciavatti  
Agema  
Amos  
Angerer  
Ball  
Bauer

Dillon  
Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza  
Farrah

Knollenberg  
Lahti  
LaJoy  
Law, David  
Law, Kathleen  
LeBlanc  
Leland

Pearce  
Polidori  
Proos  
Robertson  
Rocca  
Sak  
Schuitmaker

Bennett	Gaffney	Lemmons	Scott
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Vagnozzi
Clemente	Horn	Nitz	Valentine
Condino	Huizenga	Nofs	Walker
Constan	Hune	Opsommer	Ward
Corriveau	Jackson	Palmer	Warren
Coulouris	Johnson	Palsrok	Wenke
Cushingberry	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche			

**Nays—0**

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise and consolidate the laws relating to the friend of the court; to provide for the appointment or removal of the friend of the court; to create the office of the friend of the court; to establish the rights, powers, and duties of the friend of the court and the office of the friend of the court; to establish a state friend of the court bureau and to provide the powers and duties of the bureau; to prescribe powers and duties of the circuit court and of certain state and local agencies and officers; to establish friend of the court citizen advisory committees; to prescribe certain duties of certain employers and former employers; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

## **Second Reading of Bills**

### **Senate Bill No. 1487, entitled**

A bill to amend 1905 PA 157, entitled “An act to provide for the acquisition, maintenance, management, and control of township parks, resorts, bathing beaches, and places of recreation; to provide for the creation of a township park commission; to provide for a board of commissioners to provide for the issuance of bonds and the levy of taxes; to provide for the transfer of certain real property for parks; to authorize cities and villages to appropriate money for park purposes; to provide for the acquisition, construction, and use of wharves, piers, docks, and landing places in townships; to provide the powers and duties of certain local units of government and certain officials; and to prescribe penalties and provide remedies,” (MCL 41.421 to 41.429) by amending the title, as amended by 1998 PA 160, and by adding sections 6g and 6h.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Tobocman moved that Rep. Donigan be excused temporarily from today's session.  
The motion prevailed.

Rep. Meekhof moved that Rep. DeRoche be excused temporarily from today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**Senate Bill No. 1487, entitled**

A bill to amend 1905 PA 157, entitled "An act to provide for the acquisition, maintenance, management, and control of township parks, resorts, bathing beaches, and places of recreation; to provide for the creation of a township park commission; to provide for a board of commissioners to provide for the issuance of bonds and the levy of taxes; to provide for the transfer of certain real property for parks; to authorize cities and villages to appropriate money for park purposes; to provide for the acquisition, construction, and use of wharves, piers, docks, and landing places in townships; to provide the powers and duties of certain local units of government and certain officials; and to prescribe penalties and provide remedies," (MCL 41.421 to 41.429) by amending the title, as amended by 1998 PA 160, and by adding sections 6g and 6h.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1135**

**Yeas—107**

Accavitti	Dillon	Lahti	Polidori
Acciavatti	Ebli	LaJoy	Proos
Agema	Elsenheimer	Law, David	Robertson
Amos	Emmons	Law, Kathleen	Rocca
Angerer	Espinoza	LeBlanc	Sak
Ball	Farrah	Leland	Schuitmaker
Bauer	Gaffney	Lemmons	Scott
Bennett	Garfield	Lindberg	Shaffer
Bieda	Gillard	Marleau	Sheen
Booher	Gonzales	Mayes	Sheltrown
Brandenburg	Green	McDowell	Simpson
Brown	Griffin	Meadows	Smith, Alma
Byrnes	Hammel	Meekhof	Smith, Virgil
Byrum	Hammon	Meisner	Spade
Calley	Hansen	Melton	Stahl
Casperson	Hildenbrand	Meltzer	Stakoe
Caswell	Hood	Moolenaar	Steil
Caul	Hoogendyk	Moore	Tobocman
Cheeks	Hopgood	Moss	Vagnozzi
Clack	Horn	Nitz	Valentine
Clemente	Huizenga	Nofs	Walker
Condino	Hune	Opsommer	Ward
Constan	Jackson	Palmer	Warren
Corriveau	Johnson	Palsrok	Wenke
Coulouris	Jones, Rick	Pastor	Wojno
Cushingberry	Jones, Robert	Pavlov	Young
Dean	Knollenberg	Pearce	

**Nays—0**

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1508, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4424 (MCL 500.4424), as amended by 1998 PA 457.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

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Rep. Hansen moved that Rep. Huizenga be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1508, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4424 (MCL 500.4424), as amended by 1998 PA 457.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1136

#### Yeas—105

Accavitti	Dillon	Lahti	Polidori
Acciavatti	Ebli	LaJoy	Proos
Agema	Elsenheimer	Law, David	Robertson
Amos	Emmons	Law, Kathleen	Rocca
Angerer	Espinoza	LeBlanc	Sak
Ball	Farrah	Leland	Schuitmaker
Bauer	Gaffney	Lemmons	Scott
Bennett	Garfield	Lindberg	Shaffer
Bieda	Gillard	Marleau	Sheen
Booher	Gonzales	Mayes	Sheltrown
Brandenburg	Green	McDowell	Simpson
Brown	Griffin	Meekhof	Smith, Alma
Byrnes	Hammel	Meisner	Smith, Virgil
Byrum	Hammon	Melton	Spade
Calley	Hansen	Meltzer	Stahl
Casperson	Hildenbrand	Moolenaar	Stakoe
Caswell	Hood	Moore	Steil
Caul	Hoogendyk	Moss	Tobocman
Cheeks	Hopgood	Nitz	Vagnozzi
Clack	Horn	Nofs	Valentine
Clemente	Hune	Opsommer	Walker
Condino	Jackson	Palmer	Ward
Constan	Johnson	Palsrok	Warren

Corriveau  
Coulouris  
Cushingberry  
Dean

Jones, Rick  
Jones, Robert  
Knollenberg

Pastor  
Pavlov  
Pearce

Wenke  
Wojno  
Young

### Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Rep. LeBlanc moved that Rep. Meadows be excused temporarily from today’s session.

The motion prevailed.

The House returned to the consideration of

### **Senate Bill No. 883, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 3 (MCL 205.53), as amended by 2004 PA 173.

(The bill was considered earlier today, see today’s Journal, p. 3135.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1137****Yeas—108**

Accavitti	DeRoche	Jones, Robert	Pearce
Acciavatti	Dillon	Knollenberg	Polidori
Agema	Donigan	Lahti	Proos
Amos	Ebli	LaJoy	Robertson
Angerer	Elsenheimer	Law, David	Rocca
Ball	Emmons	Law, Kathleen	Sak
Bauer	Espinoza	LeBlanc	Schuitmaker
Bennett	Farrah	Leland	Scott
Bieda	Gaffney	Lemmons	Shaffer
Booher	Garfield	Lindberg	Sheen
Brandenburg	Gillard	Marleau	Sheltrown
Brown	Gonzales	Mayes	Simpson
Byrnes	Green	McDowell	Smith, Alma
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Meisner	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Meltzer	Stakoe
Caul	Hildenbrand	Moolenaar	Steil
Cheeks	Hood	Moore	Tobocman
Clack	Hoogendyk	Moss	Vagnozzi
Clemente	Hopgood	Nitz	Valentine
Condino	Horn	Nofs	Walker
Constan	Huizenga	Opsommer	Ward
Corriveau	Hune	Palmer	Warren
Coulouris	Jackson	Palsrok	Wenke
Cushingberry	Johnson	Pastor	Wojno
Dean	Jones, Rick	Pavlov	Young

**Nays—0**

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

**Second Reading of Bills****Senate Bill No. 494, entitled**

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for

truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 1h (MCL 247.651h), as added by 1997 PA 79.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 494, entitled**

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 1h (MCL 247.651h), as added by 1997 PA 79.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 1138**

#### **Yeas—108**

Accavitti  
Acciavatti

DeRoche  
Dillon

Jones, Robert  
Knollenberg

Pearce  
Polidori



Agema	Donigan	Lahti	Proos
Amos	Ebli	LaJoy	Robertson
Angerer	Elsenheimer	Law, David	Rocca
Ball	Emmons	Law, Kathleen	Sak
Bauer	Espinoza	LeBlanc	Schuitmaker
Bennett	Farrah	Leland	Scott
Bieda	Gaffney	Lemmons	Shaffer
Booher	Garfield	Lindberg	Sheen
Brandenburg	Gillard	Marleau	Sheltrown
Brown	Gonzales	Mayes	Simpson
Byrnes	Green	McDowell	Smith, Alma
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Meisner	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Meltzer	Stakoe
Caul	Hildenbrand	Moolenaar	Steil
Cheeks	Hood	Moore	Tobocman
Clack	Hoogendyk	Moss	Vagnozzi
Clemente	Hopgood	Nitz	Valentine
Condino	Horn	Nofs	Walker
Constan	Huizenga	Opsommer	Ward
Corriveau	Hune	Palmer	Warren
Coulouris	Jackson	Palsrok	Wenke
Cushingberry	Johnson	Pastor	Wojno
Dean	Jones, Rick	Pavlov	Young

### Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1475, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 1204b and 1204c (MCL 500.1204b and 500.1204c), section 1204b as amended by 1992 PA 84 and section 1204c as amended by 2006 PA 442.

The bill was read a second time.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

---

Rep. Angerer moved that Reps. Dillon and Tobocman be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 1475, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 1204b and 1204c (MCL 500.1204b and 500.1204c), section 1204b as amended by 1992 PA 84 and section 1204c as amended by 2006 PA 442.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1139**

**Yeas—106**

Accavitti	DeRoche	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lemmons	Scott
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meekhof	Smith, Alma
Byrum	Hammel	Meisner	Smith, Virgil
Calley	Hammon	Melton	Spade
Casperson	Hansen	Meltzer	Stahl
Caswell	Hildenbrand	Moolenaar	Stakoe
Caul	Hood	Moore	Steil
Cheeks	Hoogendyk	Moss	Vagnozzi
Clack	Hopgood	Nitz	Valentine
Clemente	Horn	Nofs	Walker
Condino	Huizenga	Opsommer	Ward
Constan	Hune	Palmer	Warren
Corriveau	Jackson	Palsrok	Wenke
Coulouris	Johnson	Pastor	Wojno
Cushingberry	Jones, Rick	Pavlov	Young
Dean	Jones, Robert		

**Nays—0**

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to

provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,"

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1476, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1204a (MCL 500.1204a), as amended by 2006 PA 442.

The bill was read a second time.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

---

Rep. Hood moved that Rep. Virgil Smith be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1476, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1204a (MCL 500.1204a), as amended by 2006 PA 442.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1140

#### Yeas—105

Accavitti  
Acciavatti  
Agema  
Amos  
Angerer

DeRoche  
Donigan  
Ebli  
Elsenheimer  
Emmons

Jones, Robert  
Knollenberg  
Lahti  
LaJoy  
Law, David

Pavlov  
Pearce  
Polidori  
Proos  
Robertson

Ball	Espinoza	Law, Kathleen	Rocca
Bauer	Farrah	LeBlanc	Sak
Bennett	Gaffney	Leland	Schuitmaker
Bieda	Garfield	Lemmons	Scott
Booher	Gillard	Lindberg	Shaffer
Brandenburg	Gonzales	Marleau	Sheen
Brown	Green	Mayes	Sheltrown
Byrnes	Griffin	McDowell	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Vagnozzi
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nitz	Walker
Condino	Huizenga	Nofs	Ward
Constan	Hune	Opsommer	Warren
Corriveau	Jackson	Palmer	Wenke
Coulouris	Johnson	Palsrok	Wojno
Cushingberry	Jones, Rick	Pastor	Young
Dean			

### Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,”

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1477, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1204 (MCL 500.1204), as amended by 2001 PA 228.

The bill was read a second time.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1477, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1204 (MCL 500.1204), as amended by 2001 PA 228.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1141

### Yeas—105

Accavitti	DeRoche	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Ebli	LaJoy	Polidori
Amos	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Griffin	McDowell	Sheltrown
Byrnes	Hammel	Meadows	Simpson
Byrum	Hammon	Meekhof	Smith, Alma
Calley	Hansen	Meisner	Spade
Casperson	Hildenbrand	Melton	Stahl
Caswell	Hood	Meltzer	Stakoe
Caul	Hoogendyk	Moolenaar	Steil
Cheeks	Hopgood	Moore	Vagnozzi
Clack	Horn	Moss	Valentine
Clemente	Huizenga	Nitz	Walker
Condino	Hune	Nofs	Ward
Constan	Jackson	Opsommer	Warren
Corriveau	Johnson	Palmer	Wenke
Coulouris	Jones, Rick	Palsrok	Wojno
Cushingberry	Jones, Robert	Pastor	Young
Dean			

**Nays—0**

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,”

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

**Second Reading of Bills****Senate Bill No. 1478, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 1206c.

The bill was read a second time.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 1478, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 1206c.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1142****Yeas—100**

Accavitti	DeRoche	Lahti	Pearce
Acciavatti	Donigan	LaJoy	Polidori
Amos	Ebli	Law, David	Proos
Angerer	Elsenheimer	Law, Kathleen	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Cheeks	Hood	Moolenaar	Steil
Clack	Hopgood	Moore	Vagnozzi
Clemente	Horn	Moss	Valentine
Condino	Huizenga	Nitz	Walker
Constan	Hune	Nofs	Ward
Corriveau	Jackson	Opsommer	Warren
Coulouris	Johnson	Palsrok	Wenke
Cushingberry	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young

**Nays—6**

Agema	Garfield	Knollenberg	Palmer
Calley	Hoogendyk		

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that



insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,"

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1536, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending section 10 (MCL 474.60), as amended by 1998 PA 235.

The bill was read a second time.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1536, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending section 10 (MCL 474.60), as amended by 1998 PA 235.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1143

### Yeas—105

Accavitti	DeRoche	Jones, Robert	Pastor
Acciavatti	Donigan	Knollenberg	Pavlov
Agema	Ebli	Lahti	Pearce
Amos	Elsenheimer	LaJoy	Polidori
Angerer	Emmons	Law, David	Proos
Ball	Espinoza	Law, Kathleen	Robertson
Bauer	Farrah	LeBlanc	Rocca
Bennett	Gaffney	Leland	Sak
Bieda	Garfield	Lemmons	Schuitmaker
Booher	Gillard	Lindberg	Scott
Brandenburg	Gonzales	Marleau	Shaffer

Brown	Green	Mayes	Sheen
Byrnes	Griffin	McDowell	Sheltrown
Byrum	Hammel	Meadows	Simpson
Calley	Hammon	Meekhof	Smith, Alma
Casperson	Hansen	Meisner	Spade
Caswell	Hildenbrand	Melton	Stakoe
Caul	Hood	Meltzer	Steil
Cheeks	Hoogendyk	Moolenaar	Vagnozzi
Clack	Hopgood	Moore	Valentine
Clemente	Horn	Moss	Walker
Condino	Huizenga	Nitz	Ward
Constan	Hune	Nofs	Warren
Corriveau	Jackson	Opsommer	Wenke
Coulouris	Johnson	Palmer	Wojno
Cushingberry	Jones, Rick	Palsrok	Young
Dean			

**Nays—0**

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to improve and maintain transportation services in this state; to provide for the acquisition and use of funds; to provide for the acquisition of certain railroad facilities and certain property; to provide for the disposition and use of facilities and property acquired under this act; to provide for financial assistance to certain private transportation services; to prescribe the powers and duties of certain state departments and agencies; to provide for the transfer of certain funds; to provide for the creation of certain funds; and to provide for appropriations,”

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### **Second Reading of Bills**

#### **Senate Bill No. 816, entitled**

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending section 19 (MCL 125.2169), as amended by 1993 PA 333.

The bill was read a second time.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 816, entitled**

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending section 19 (MCL 125.2169), as amended by 1993 PA 333.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1144****Yeas—106**

Accavitti	DeRoche	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Ebli	LaJoy	Polidori
Amos	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Vagnozzi
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nitz	Walker
Condino	Huizenga	Nofs	Ward
Constan	Hune	Opsommer	Warren
Corriveau	Jackson	Palmer	Wenke
Coulouris	Johnson	Palsrok	Wojno
Cushingberry	Jones, Rick	Pastor	Young
Dean	Jones, Robert		

**Nays—0**

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance authorities and to prescribe their powers and duties; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to prescribe powers and duties of certain public entities and state officers and agencies; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing.”

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

**Second Reading of Bills****Senate Bill No. 677, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 21556 and 21559 (MCL 324.21556 and 324.21559), section 21556 as added by 2006 PA 321 and section 21559 as added by 2006 PA 322.

The bill was read a second time.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 677, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 21556 and 21559 (MCL 324.21556 and 324.21559), section 21556 as added by 2006 PA 321 and section 21559 as added by 2006 PA 322.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 1145**

#### **Yeas—106**

Accavitti	DeRoche	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Ebli	LaJoy	Polidori
Amos	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Vagnozzi
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nitz	Walker
Condino	Huizenga	Nofs	Ward
Constan	Hune	Opsommer	Warren
Corriveau	Jackson	Palmer	Wenke
Coulouris	Johnson	Palsrok	Wojno
Cushingberry	Jones, Rick	Pastor	Young
Dean	Jones, Robert		

#### **Nays—0**

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers

and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1615, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 42702 and 42713 (MCL 324.42702 and 324.42713), section 42702 as amended by 2004 PA 537 and section 42713 as added by 1995 PA 57.

The bill was read a second time.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Proos moved that Rep. Shaffer be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1615, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 42702 and 42713 (MCL 324.42702 and 324.42713), section 42702 as amended by 2004 PA 537 and section 42713 as added by 1995 PA 57.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1146

#### Yeas—103

Accavitti	DeRoche	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Ebli	LaJoy	Polidori
Amos	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Spade
Calley	Hammon	Meisner	Stahl
Casperson	Hansen	Melton	Stakoe
Caul	Hildenbrand	Meltzer	Steil
Cheeks	Hood	Moolenaar	Vagnozzi

Clack	Hoogendyk	Moore	Valentine
Clemente	Hopgood	Moss	Walker
Condino	Horn	Nitz	Ward
Constan	Huizenga	Nofs	Warren
Corriveau	Jackson	Opsommer	Wenke
Coulouris	Johnson	Palmer	Wojno
Cushingberry	Jones, Rick	Palsrok	Young
Dean	Jones, Robert	Pastor	

### Nays—2

Caswell

Hune

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1413, entitled

A bill to allow the state of Michigan to enter into a compact for organizing an electronic information sharing system among the federal government and the states that will exchange criminal history records for certain purposes.

The bill was read a second time.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1413, entitled

A bill to allow the state of Michigan to enter into a compact for organizing an electronic information sharing system among the federal government and the states that will exchange criminal history records for certain purposes.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1147

### Yeas—106

Accavitti	DeRoche	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Ebli	LaJoy	Polidori
Amos	Elsenheimer	Law, David	Proos

Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Vagnozzi
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nitz	Walker
Condino	Huizenga	Nofs	Ward
Constan	Hune	Opsommer	Warren
Corriveau	Jackson	Palmer	Wenke
Coulouris	Johnson	Palsrok	Wojno
Cushingberry	Jones, Rick	Pastor	Young
Dean	Jones, Robert		

### Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 158, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 136b (MCL 750.136b), as amended by 1999 PA 273.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Judiciary,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Sheen moved to amend the bill as follows:

1. Amend page 2, line 4, after “injury” by striking out the balance of the subdivision and inserting “**THAT REQUIRES MEDICAL ATTENTION.**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 4, following line 6, by inserting:

**“(11) THE DEFENDANT HAS THE BURDEN OF ESTABLISHING THE AFFIRMATIVE DEFENSE DESCRIBED IN THIS SUBSECTION BY A PREPONDERANCE OF THE EVIDENCE. IT IS AN AFFIRMATIVE DEFENSE TO A PROSECUTION UNDER SUBSECTIONS (3) AND (7) THAT THE DEFENDANT’S CONDUCT INVOLVING THE CHILD ATTRIBUTABLE TO THE PROVISION OF TREATMENT BY SPIRITUAL MEANS IN LIEU OF MEDICAL CARE WAS REASONABLE UNDER THE CIRCUMSTANCES. THE FOLLOWING**



**FACTORS SHALL BE RELEVANT FOR PURPOSES OF EVALUATING REASONABLENESS UNDER THIS SECTION:**

**(A) THE AGE, MATURITY, AND CAPACITY OF THE CHILD.**

**(B) THE CONDITION FOR WHICH THE CHILD WAS BEING TREATED.**

**(C) WHETHER THE CHILD EXHIBITED CLEAR SYMPTOMS OF A CONDITION THAT IS LIFE-THREATENING OR WOULD RESULT IN SERIOUS DISABILITY.**

**(D) THE LENGTH OF TIME DURING WHICH THE CHILD EXPERIENCED THE CONDITION.**

**(E) THE LIKELIHOOD THAT MEDICAL TREATMENT WOULD HAVE SUCCEEDED IN REMEDYING THE CHILD'S CONDITION INCLUDING CONSIDERATION OF THE RISKS OF HARM OR NEGATIVE SIDE EFFECTS ASSOCIATED WITH UNDERGOING MEDICAL TREATMENT AND THE RISKS OF HARM FROM FAILURE TO PROVIDE MEDICAL TREATMENT.**

**(F) THE PAST EXPERIENCE OF THE FAMILY IN RELYING UPON MEDICAL TREATMENT.**

**(G) THE PAST EXPERIENCE OF THE FAMILY IN RELYING UPON SPIRITUAL TREATMENT.”.**

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

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Rep. Meekhof moved that Rep. DeRoche be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 158, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 136b (MCL 750.136b), as amended by 1999 PA 273.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1148**

**Yeas—83**

Accavitti	Dean	LaJoy	Proos
Acciavatti	Donigan	Law, David	Robertson
Amos	Ebli	Law, Kathleen	Rocca
Angerer	Elsenheimer	LeBlanc	Sak
Ball	Espinoza	Leland	Schuitmaker
Bauer	Farrah	Lemmons	Scott
Bieda	Gaffney	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheltrown
Brandenburg	Gonzales	Mayes	Simpson
Brown	Griffin	McDowell	Smith, Alma
Byrnes	Hammel	Meadows	Spade
Byrum	Hammon	Meisner	Stakoe
Casperson	Hansen	Melton	Tobocman
Cheeks	Hildenbrand	Moore	Vagnozzi
Clack	Hood	Moss	Valentine
Clemente	Hopgood	Nitz	Ward
Condino	Horn	Nofs	Warren
Constan	Jackson	Opsommer	Wenke
Corriveau	Johnson	Palsrok	Wojno

Coulouris  
Cushingberry

Jones, Rick  
Jones, Robert

Pearce  
Polidori

Young

### Nays—23

Agema  
Bennett  
Calley  
Caswell  
Caul  
Emmons

Garfield  
Green  
Hoogendyk  
Huizenga  
Hune  
Knollenberg

Lahti  
Meekhof  
Meltzer  
Moolenaar  
Palmer  
Pastor

Pavlov  
Sheen  
Stahl  
Steil  
Walker

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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Rep. Caswell, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This bill is well intentioned. However, it is too broad and will have unseen consequences. There are particular abuse problems this bill is attempting to address and the bill should be written to take care of just those problems and not be so broad.”

Rep. Agema, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This opens up Pandora’s box and takes away parental rights. Already we have CPS taking kids away from parents for spanking- what’s next.”

Rep. Sheen, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I agree with the intent of this bill, but the definition of “serious mental harm” is so subjective that almost anything could be considered serious mental harm. The definition must be tightened up and more objective, otherwise it create more problems than it helps.”

### Second Reading of Bills

#### Senate Bill No. 760, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2002 PA 630.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Judiciary,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**Senate Bill No. 760, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2002 PA 630.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1149**

**Yeas—87**

Accavitti	Dean	LaJoy	Proos
Acciavatti	DeRoche	Law, David	Robertson
Amos	Donigan	Law, Kathleen	Rocca
Angerer	Ebli	LeBlanc	Sak
Ball	Elsenheimer	Leland	Schuitmaker
Bauer	Espinoza	Lemmons	Scott
Bieda	Farrah	Lindberg	Shaffer
Booher	Gaffney	Marleau	Sheltrown
Brandenburg	Gillard	Mayes	Simpson
Brown	Gonzales	McDowell	Smith, Alma
Byrnes	Griffin	Meadows	Spade
Byrum	Hammel	Meisner	Stakoe
Casperson	Hammon	Melton	Steil
Caswell	Hansen	Moore	Tobocman
Cheeks	Hildenbrand	Moss	Vagnozzi
Clack	Hood	Nitz	Valentine
Clemente	Hopgood	Nofs	Ward
Condino	Horn	Opsommer	Warren
Constan	Jackson	Palsrok	Wenke
Corriveau	Johnson	Pavlov	Wojno
Coulouris	Jones, Rick	Pearce	Young
Cushingberry	Jones, Robert	Polidori	

**Nays—20**

Agema	Garfield	Knollenberg	Palmer
Bennett	Green	Lahti	Pastor
Calley	Hoogendyk	Meekhof	Sheen
Caul	Huizenga	Meltzer	Stahl
Emmons	Hune	Moolenaar	Walker

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged

with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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Rep. Sheen, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I agree with the intent of this bill, but the definition of ‘serious mental harm’ is so subjective that almost anything could be considered serious mental harm. The definition must be tightened up and more objective, otherwise it create more problems than it helps. This bill is tied barred to SB158.”

### Second Reading of Bills

#### Senate Bill No. 1134, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 303, 319, 322, 625, and 625b (MCL 257.303, 257.319, 257.322, 257.625, and 257.625b), section 303 as amended by 2008 PA 7, section 319 as amended by 2004 PA 362, section 322 as amended by 2001 PA 159, section 625 as amended by 2006 PA 564, and section 625b as amended by 2004 PA 62, and by adding sections 20b and 322a.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Judiciary,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 38, line 7, after “effect” by striking out the balance of the enacting section and inserting “October 1, 2010.”

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Condino moved to amend the bill as follows:

1. Amend page 38, line 7, after “effect” by striking out “January” and inserting “October”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Condino moved to amend the bill as follows:

1. Amend page 13, line 14, after “**STATE**” by striking out “**SHALL**” and inserting “**MAY**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Tobocman moved that Rep. Vagnozzi be excused temporarily from today's session.  
The motion prevailed.

Rep. Hansen moved that Reps. Green, Palsrok and Sheen be excused temporarily from today's session.  
The motion prevailed.

Rep. Hood moved that Reps. Meisner, Cushingberry and Cheeks be excused temporarily from today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**Senate Bill No. 1134, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 319, 322, 625, and 625b (MCL 257.303, 257.319, 257.322, 257.625, and 257.625b), section 303 as amended by 2008 PA 7, section 319 as amended by 2004 PA 362, section 322 as amended by 2001 PA 159, section 625 as amended by 2006 PA 564, and section 625b as amended by 2004 PA 62, and by adding sections 20b and 322a.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1150**

**Yeas—101**

Accavitti	Dillon	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lemmons	Scott
Bieda	Gillard	Lindberg	Shaffer
Booher	Gonzales	Marleau	Sheltrown
Brandenburg	Griffin	Mayes	Simpson
Brown	Hammel	McDowell	Smith, Alma
Byrnes	Hammon	Meadows	Smith, Virgil
Byrum	Hansen	Meekhof	Spade
Calley	Hildenbrand	Melton	Stahl
Casperson	Hood	Meltzer	Stakoe
Caswell	Hoogendyk	Moolenaar	Steil
Caul	Hopgood	Moore	Tobocman
Clack	Horn	Moss	Valentine
Clemente	Huizenga	Nitz	Walker
Condino	Hune	Nofs	Ward
Constan	Jackson	Opsommer	Warren
Corriveau	Johnson	Palmer	Wenke
Coulouris	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche			

**Nays—1**

Garfield

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1629, entitled

A bill to amend 1976 PA 223, entitled “An act to create an agency concerned with crime victim services; to prescribe its powers and duties; to provide compensation to certain victims of crimes; to provide for the promulgation of rules; and to provide for penalties,” (MCL 18.351 to 18.368) by adding section 5a.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1629, entitled

A bill to amend 1976 PA 223, entitled “An act to create an agency concerned with crime victim services; to prescribe its powers and duties; to provide compensation to certain victims of crimes; to provide for the promulgation of rules; and to provide for penalties,” (MCL 18.351 to 18.368) by adding section 5a.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1151

#### Yeas—104

Accavitti	Dillon	Jones, Robert	Pastor
Acciavatti	Donigan	Knollenberg	Pavlov
Agema	Ebli	Lahti	Pearce
Amos	Elsenheimer	LaJoy	Polidori
Angerer	Emmons	Law, David	Proos
Ball	Espinoza	Law, Kathleen	Robertson
Bauer	Farrah	LeBlanc	Rocca
Bennett	Gaffney	Leland	Sak
Bieda	Garfield	Lemmons	Schuitmaker
Booher	Gillard	Lindberg	Scott
Brandenburg	Gonzales	Marleau	Shaffer
Brown	Green	Mayes	Sheltrown
Byrnes	Griffin	McDowell	Simpson
Byrum	Hammel	Meadows	Smith, Alma

Calley	Hammon	Meekhof	Spade
Casperson	Hansen	Meisner	Stahl
Caswell	Hildenbrand	Melton	Stakoe
Caul	Hood	Meltzer	Steil
Clack	Hoogendyk	Moolenaar	Tobocman
Clemente	Hopgood	Moore	Valentine
Condino	Horn	Moss	Walker
Constan	Huizenga	Nitz	Ward
Corriveau	Hune	Nofs	Warren
Coulouris	Jackson	Opsommer	Wenke
Dean	Johnson	Palmer	Wojno
DeRoche	Jones, Rick	Palsrok	Young

**Nays—0**

In The Chair: Sak

The House agreed to the title of the bill.  
 Rep. Tobocman moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.

**Second Reading of Bills****Senate Bill No. 1227, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 11717b (MCL 324.11717b), as added by 2004 PA 381.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 1227, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 11717b (MCL 324.11717b), as added by 2004 PA 381.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1152****Yeas—104**

Accavitti	Dillon	Jones, Robert	Pastor
Acciavatti	Donigan	Knollenberg	Pavlov
Agema	Ebli	Lahti	Pearce
Amos	Elsenheimer	LaJoy	Polidori
Angerer	Emmons	Law, David	Proos
Ball	Espinoza	Law, Kathleen	Robertson
Bauer	Farrar	LeBlanc	Rocca
Bennett	Gaffney	Leland	Sak
Bieda	Garfield	Lemmons	Schuitmaker



Booher	Gillard	Lindberg	Scott
Brandenburg	Gonzales	Marleau	Shaffer
Brown	Green	Mayes	Sheltrown
Byrnes	Griffin	McDowell	Simpson
Byrum	Hammel	Meadows	Smith, Alma
Calley	Hammon	Meekhof	Spade
Casperson	Hansen	Meisner	Stahl
Caswell	Hildenbrand	Melton	Stakoe
Caul	Hood	Meltzer	Steil
Clack	Hoogendyk	Moolenaar	Tobocman
Clemente	Hopgood	Moore	Valentine
Condino	Horn	Moss	Walker
Constan	Huizenga	Nitz	Ward
Corriveau	Hune	Nofs	Warren
Coulouris	Jackson	Opsommer	Wenke
Dean	Johnson	Palmer	Wojno
DeRoche	Jones, Rick	Palsrok	Young

**Nays—0**

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### **Second Reading of Bills**

#### **Senate Bill No. 1353, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

The bill was read a second time.

Rep. Vagnozzi moved to substitute (H-1) the bill.

The question being on the adoption of the substitute (H-1) offered by Rep. Vagnozzi,

Rep. Tobocman moved that consideration of the bill be postponed temporarily.

The motion prevailed.

#### **Senate Bill No. 1009, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 207 (MCL 208.1207).

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Tax Policy,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**Senate Bill No. 1009, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 207 (MCL 208.1207).

The bill was read a third time.

The question being on the passage of the bill,

Rep. Tobocman moved that consideration of the bill be postponed temporarily.

The motion prevailed.

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Banking and Financial Services be discharged from further consideration of **Senate Bill No. 1636**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

**Second Reading of Bills**

**Senate Bill No. 1636, entitled**

A bill to amend 2006 PA 513, entitled "Individual or family development account program act," by amending sections 2, 3, 5, 7, 8, 9, and 10 (MCL 206.702, 206.703, 206.705, 206.707, 206.708, 206.709, and 206.710).

The bill was read a second time.

Rep. Coulouris moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Coulouris moved to amend the bill as follows:

1. Amend page 9, line 7, after "agreement." by striking out the balance of the line and inserting "**ONLY THE FIDUCIARY ORGANIZATION SHALL**".

2. Amend page 12, line 2, after "**RESIDENCE**" by inserting "**OR FOR QUALIFIED HOME IMPROVEMENTS**".

3. Amend page 12, line 6, after "**RESIDENCE**" by inserting "**AND FOR QUALIFIED HOME IMPROVEMENTS**".

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

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Rep. Hansen moved that Rep. Green be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**Senate Bill No. 1636, entitled**

A bill to amend 2006 PA 513, entitled "Individual or family development account program act," by amending sections 2, 3, 5, 7, 8, 9, and 10 (MCL 206.702, 206.703, 206.705, 206.707, 206.708, 206.709, and 206.710).

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1153****Yeas—104**

Accavitti	DeRoche	Knollenberg	Pavlov
Acciavatti	Dillon	Lahti	Pearce
Agema	Donigan	LaJoy	Polidori
Amos	Ebli	Law, David	Proos
Angerer	Elsenheimer	Law, Kathleen	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Scott
Booher	Garfield	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Griffin	McDowell	Simpson
Byrnes	Hammel	Meadows	Smith, Alma
Byrum	Hammon	Meekhof	Smith, Virgil
Calley	Hansen	Meisner	Spade
Casperson	Hildenbrand	Melton	Stahl
Caswell	Hood	Meltzer	Stakoe
Caul	Hoogendyk	Moolenaar	Steil
Cheeks	Hopgood	Moore	Tobocman
Clack	Horn	Moss	Valentine
Clemente	Huizenga	Nitz	Walker
Condino	Hune	Nofs	Ward
Constan	Jackson	Opsommer	Warren
Corriveau	Johnson	Palmer	Wenke
Coulouris	Jones, Rick	Palsrok	Wojno
Dean	Jones, Robert	Pastor	Young

**Nays—0**

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 2006 PA 513, entitled “An act to permit the establishment and maintenance of individual or family development accounts; to provide for certain tax deductions and tax credits; to prescribe the requirements of and restrictions on individual or family development accounts; to provide for the promulgation of rules; and to provide penalties and remedies,” by amending sections 2, 3, 4, 5, 7, 8, 9, and 10 (MCL 206.702, 206.703, 206.704, 206.705, 206.707, 206.708, 206.709, and 206.710).

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Regulatory Reform be discharged from further consideration of **Senate Bill No. 651**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

**Second Reading of Bills****Senate Bill No. 651, entitled**

A bill to amend 1965 PA 290, entitled “Boiler act of 1965,” by amending section 13 (MCL 408.763), as amended by 1986 PA 277.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 651, entitled**

A bill to amend 1965 PA 290, entitled “Boiler act of 1965,” by amending section 13 (MCL 408.763), as amended by 1986 PA 277.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1154****Yeas—106**

Accavitti	Dillon	Lahti	Pearce
Acciavatti	Donigan	LaJoy	Polidori
Agema	Ebli	Law, David	Proos
Amos	Elsenheimer	Law, Kathleen	Robertson
Angerer	Emmons	LeBlanc	Rocca
Ball	Espinoza	Leland	Sak
Bauer	Farrah	Lemmons	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Garfield	Marleau	Shaffer
Booher	Gillard	Mayes	Sheen
Brandenburg	Gonzales	McDowell	Sheltrown
Brown	Green	Meadows	Simpson
Byrnes	Griffin	Meekhof	Smith, Alma
Byrum	Hammel	Meisner	Smith, Virgil
Calley	Hansen	Melton	Spade
Casperson	Hildenbrand	Meltzer	Stahl
Caswell	Hood	Moolenaar	Stakoe
Caul	Hoogendyk	Moore	Steil
Cheeks	Hopgood	Moss	Tobocman
Clack	Horn	Nitz	Valentine
Clemente	Huizenga	Nofs	Walker
Condino	Hune	Opsommer	Ward
Constan	Jackson	Palmer	Warren
Corriveau	Johnson	Palsrok	Wenke
Coulouris	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche	Knollenberg		

**Nays—1**

Hammon

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to regulate the use, construction, installation, and repair of certain boilers; to create a board of boiler rules; to prescribe uniform rules and regulations for certain boilers; to provide for the licensing of certain boiler inspectors, installers, and repairers and registration of certain boiler operators and stationary engineers; to provide for powers and duties for certain state agencies and officers; to provide fees for registrations, licenses, permits, inspections, and certificates; to provide penalties and remedies for the violation of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

#### **Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Judiciary be discharged from further consideration of **House Bill No. 4422**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

#### **Second Reading of Bills**

##### **House Bill No. 4422, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8401 (MCL 600.8401), as amended by 1999 PA 27.

The bill was read a second time.

Rep. Condino moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Pastor moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

#### **Third Reading of Bills**

##### **House Bill No. 4422, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8401 (MCL 600.8401), as amended by 1999 PA 27.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Tobocman moved that consideration of the bill be postponed temporarily.

The motion prevailed.

By unanimous consent the House returned to the order of

#### **Messages from the Senate**

##### **House Bill No. 5987, entitled**

A bill to amend 1982 PA 325, entitled “An act to authorize county sheriffs to declare a county jail overcrowding state of emergency; to prescribe the powers and duties of certain judges, county sheriffs, and other county officials; and to provide remedies for a county jail overcrowding state of emergency,” by amending section 6 (MCL 801.56), as amended by 1988 PA 399.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

# **Roll Call No. 1155**

## **Yeas—97**

Accavitti	Elsenheimer	Lahti	Pearce
Acciavatti	Emmons	LaJoy	Polidori
Agema	Espinoza	Law, Kathleen	Proos
Amos	Farrah	LeBlanc	Robertson
Ball	Gaffney	Leland	Rocca
Bauer	Gillard	Lemmons	Schuitmaker
Bennett	Gonzales	Lindberg	Scott
Bieda	Green	Marleau	Shaffer
Booher	Griffin	Mayes	Sheen
Brandenburg	Hammel	McDowell	Sheltrown
Byrnes	Hammon	Meadows	Simpson
Byrum	Hansen	Meekhof	Smith, Alma
Calley	Hildenbrand	Meisner	Smith, Virgil
Casperson	Hood	Melton	Stahl
Caul	Hoogendyk	Moolenaar	Stakoe
Cheeks	Hopgood	Moore	Steil
Clack	Horn	Moss	Tobocman
Clemente	Huizenga	Nitz	Valentine
Condino	Hune	Nofs	Walker
Constan	Jackson	Opsommer	Ward
Corriveau	Johnson	Palmer	Warren
Coulouris	Jones, Rick	Palsrok	Wenke
DeRoche	Jones, Robert	Pastor	Wojno
Dillon	Knollenberg	Pavlov	Young
Donigan			

## **Nays—10**

Angerer	Dean	Law, David	Sak
Brown	Ebli	Meltzer	Spade
Caswell	Garfield		

In The Chair: Sak

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

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Rep. Tobocman moved that Rep. Dillon be excused temporarily from today's session.  
The motion prevailed.

**House Bill No. 4872, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 135a. The Senate has amended the bill as follows:

1. Amend page 2, line 21, after “effect” by striking out the balance of the enacting section and inserting “April 1, 2009.”.

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1156****Yeas—105**

Accavitti	Ebli	Lahti	Pearce
Acciavatti	Elsenheimer	LaJoy	Polidori
Agema	Emmons	Law, David	Proos
Amos	Espinoza	Law, Kathleen	Robertson
Angerer	Farrah	LeBlanc	Rocca
Ball	Gaffney	Leland	Sak
Bauer	Garfield	Lemmons	Schuitmaker
Bennett	Gillard	Lindberg	Scott
Bieda	Gonzales	Marleau	Shaffer
Booher	Green	Mayes	Sheen
Brandenburg	Griffin	McDowell	Sheltrown
Brown	Hammel	Meadows	Simpson
Byrnes	Hammon	Meekhof	Smith, Alma
Byrum	Hansen	Meisner	Smith, Virgil
Calley	Hildenbrand	Melton	Spade
Casperson	Hood	Meltzer	Stahl
Caswell	Hoogendyk	Moolenaar	Stakoe
Caul	Hopgood	Moore	Steil
Cheeks	Horn	Moss	Tobocman
Clack	Huizenga	Nitz	Valentine
Clemente	Hune	Nofs	Walker
Condino	Jackson	Opsommer	Ward
Constan	Johnson	Palmer	Warren
Corriveau	Jones, Rick	Palsrok	Wenke
Coulouris	Jones, Robert	Pastor	Wojno
Dean	Knollenberg	Pavlov	Young
Donigan			

**Nays—0**

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4873, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2002 PA 630.

The Senate has substituted (S-1) the bill.



The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1157****Yeas—102**

Accavitti	Ebli	LaJoy	Polidori
Acciavatti	Elsenheimer	Law, David	Proos
Amos	Emmons	Law, Kathleen	Robertson
Angerer	Espinoza	LeBlanc	Rocca
Ball	Farrah	Leland	Sak
Bauer	Gaffney	Lemmons	Schuitmaker
Bennett	Gillard	Lindberg	Scott
Bieda	Gonzales	Marleau	Shaffer
Booher	Green	Mayes	Sheen
Brandenburg	Griffin	McDowell	Sheltrown
Brown	Hammel	Meadows	Simpson
Byrnes	Hammon	Meekhof	Smith, Alma
Byrum	Hansen	Meisner	Smith, Virgil
Calley	Hildenbrand	Melton	Spade
Casperson	Hood	Meltzer	Stahl
Caswell	Hoogendyk	Moolenaar	Stakoe
Caul	Hopgood	Moore	Steil
Cheeks	Horn	Moss	Tobocman
Clack	Huizenga	Nitz	Valentine
Clemente	Hune	Nofs	Walker
Condino	Jackson	Opsommer	Ward
Constan	Johnson	Palsrok	Warren
Corriveau	Jones, Rick	Pastor	Wenke
Coulouris	Jones, Robert	Pavlov	Wojno
Dean	Knollenberg	Pearce	Young
Donigan	Lahti		

**Nays—3**

Agema

Garfield

Palmer

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 6089, entitled**

A bill to establish the foster care trust fund in the department of management and budget; to establish the state foster care advisory board; to prescribe the powers and duties of the state foster care advisory board; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to establish the foster care trust fund in the department of human services; to establish the state foster care board; to prescribe the powers and duties of the state foster care board; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1158

### Yeas—106

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Amos	Emmons	Law, Kathleen	Robertson
Angerer	Espinoza	LeBlanc	Rocca
Ball	Farrah	Leland	Sak
Bauer	Gaffney	Lemmons	Schuitmaker
Bennett	Garfield	Lindberg	Scott
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brandenburg	Green	McDowell	Sheltrown
Brown	Griffin	Meadows	Simpson
Byrnes	Hammel	Meekhof	Smith, Alma
Byrum	Hammon	Meisner	Smith, Virgil
Calley	Hansen	Melton	Spade
Casperson	Hildenbrand	Meltzer	Stahl
Caswell	Hood	Moolenaar	Stakoe
Caul	Hoogendyk	Moore	Steil
Cheeks	Hopgood	Moss	Tobocman
Clack	Horn	Nitz	Valentine
Clemente	Huizenga	Nofs	Walker
Condino	Hune	Opsommer	Ward
Constan	Jackson	Palmer	Warren
Corriveau	Johnson	Palsrok	Wenke
Coulouris	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche	Knollenberg		

### Nays—0

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Tobocman moved that Reps. Bieda and Leland be excused temporarily from today's session.

The motion prevailed.

**House Bill No. 6090, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," by amending section 435 (MCL 206.435), as amended by 2008 PA 322.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1159****Yeas—104**

Accavitti	Donigan	Knollenberg	Pearce
Acciavatti	Ebli	Lahti	Polidori
Agema	Elsenheimer	LaJoy	Proos
Amos	Emmons	Law, David	Robertson
Angerer	Espinoza	Law, Kathleen	Rocca
Ball	Farrah	LeBlanc	Sak
Bauer	Gaffney	Lemmons	Schuitmaker
Bennett	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Smith, Virgil
Casperson	Hansen	Melton	Spade
Caswell	Hildenbrand	Meltzer	Stahl
Caul	Hood	Moolenaar	Stakoe
Cheeks	Hoogendyk	Moore	Steil
Clack	Hopgood	Moss	Tobocman
Clemente	Horn	Nitz	Valentine
Condino	Huizenga	Nofs	Walker
Constan	Hune	Opsommer	Ward
Corriveau	Jackson	Palmer	Warren
Coulouris	Johnson	Palsrok	Wenke
Dean	Jones, Rick	Pastor	Wojno
DeRoche	Jones, Robert	Pavlov	Young

**Nays—0**

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4839, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 11, 208c, 252a, 252d, 252e, 252f, 252g, 252k, and 252l (MCL 257.11, 257.208c, 257.252a, 257.252d, 257.252e, 257.252f, 257.252g, 257.252k, and 257.252l), section 11 as amended by 2003 PA 37, section 208c as amended by 2004 PA 362, sections 252a, 252d, 252e, and 252f as amended by 2004 PA 495, and section 252g as amended and sections 252k and 252l as added by 2004 PA 493.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 11, 208c, 216, 244, 252a, 252d, 252e, 252f, 252g, 252k, 252l, 625n, 716, 717, and 726 (MCL 257.11, 257.208c, 257.216, 257.244, 257.252a, 257.252d, 257.252e, 257.252f, 257.252g, 257.252k, 257.252l, 257.625n, 257.716, 257.717, and 257.726), section 11 as amended by 2003 PA 37, section 208c as amended by 2004 PA 362, sections 216 and 244 as amended by 2002 PA 642, sections 252a, 252d, 252e, and 252f as amended by 2004 PA 495, section 252g as amended and sections 252k and 252l as added by 2004 PA 493, section 625n as amended by 1998 PA 349, section 716 as amended by 2006 PA 509, section 717 as amended by 2004 PA 511, and section 726 as amended by 1983 PA 107, and by adding section 79f.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1160****Yeas—103**

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Amos	Emmons	Law, Kathleen	Robertson
Angerer	Espinoza	LeBlanc	Rocca
Ball	Farrah	Leland	Sak
Bauer	Gaffney	Lemmons	Scott
Bennett	Garfield	Lindberg	Shaffer
Bieda	Gillard	Marleau	Sheen
Booher	Gonzales	Mayes	Sheltrown
Brandenburg	Green	McDowell	Simpson
Brown	Griffin	Meadows	Smith, Alma
Byrnes	Hammel	Meekhof	Smith, Virgil
Byrum	Hammon	Meisner	Spade
Calley	Hansen	Melton	Stahl
Casperson	Hildenbrand	Meltzer	Stakoe
Caswell	Hood	Moolenaar	Steil
Caul	Hoogendyk	Moore	Tobocman
Cheeks	Hopgood	Moss	Valentine
Clack	Horn	Nitz	Walker
Clemente	Huizenga	Nofs	Ward
Condino	Hune	Opsommer	Warren

Constan  
Corriveau  
Coulouris  
Dean

Jackson  
Johnson  
Jones, Rick  
Knollenberg

Palmer  
Palsrok  
Pastor  
Pavlov

Wenke  
Wojno  
Young

### Nays—2

Jones, Robert

Schuitmaker

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

### House Bill No. 6515, entitled

A bill to amend 1991 PA 180, entitled “An act to assist in the financing of stadia or convention facilities; to permit eligible municipalities to impose and collect an excise tax on businesses engaged in the preparation and delivery of food and beverages for immediate consumption, in leasing or renting motor vehicles in the eligible municipality, and in providing accommodations for dwelling, lodging, or sleeping purposes; to limit the rate of that excise tax; to authorize voter approval in a single ballot question of the excise tax authorized by this act and of certain purposes for which the excise tax is imposed; to provide for the establishment of procedures for the collection, administration, and enforcement of the excise tax; to prescribe the powers and duties of certain state departments and state and local officials; to provide for the disposition and transmittal of the revenues from the tax for stadia or convention facility development and other purposes and authorize the pledge of those revenues; to authorize the appointment of employees and officials of a local governmental unit to an authority to which revenues from the tax may be pledged; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts,” by amending section 1 (MCL 207.751), as amended by 2007 PA 172.

The Senate has amended the bill as follows:

1. Amend page 3, line 14, after “than” by striking out “70,000” and inserting “100,000”.
2. Amend page 3, following line 22, by inserting:

**“(vi) A COUNTY WITH A POPULATION OF LESS THAN 300,000 WITH A CITY WITH A POPULATION OF MORE THAN 70,000 PERSONS, OR THE MOST POPULOUS CITY WITHIN THAT COUNTY IF EITHER INTENDS TO IMPOSE A TAX UNDER THIS ACT FOR PURPOSES RELATED TO A STADIUM AS DEFINED UNDER SUBDIVISION (I)(ii).”**

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1161

### Yeas—68

Accavitti  
Angerer  
Bennett  
Bieda  
Booher  
Brown  
Byrnes  
Byrum  
Calley

Dean  
Dillon  
Donigan  
Ebli  
Espinoza  
Farrah  
Gaffney  
Gillard  
Gonzales

Jackson  
Johnson  
Jones, Rick  
Jones, Robert  
Lahti  
LaJoy  
Law, Kathleen  
LeBlanc  
Leland

Nofs  
Polidori  
Proos  
Sak  
Schuitmaker  
Scott  
Shaffer  
Sheltrown  
Smith, Alma

Cheeks	Griffin	Lemmons	Smith, Virgil
Clack	Hammel	Lindberg	Spade
Clemente	Hammon	Mayes	Tobocman
Condino	Hansen	McDowell	Valentine
Constan	Hildenbrand	Meadows	Ward
Corriveau	Hood	Meekhof	Warren
Coulouris	Hopgood	Meisner	Wojno
Cushingberry	Huizenga	Melton	Young

**Nays—39**

Acciavatti	Emmons	Moolenaar	Robertson
Agema	Garfield	Moore	Rocca
Amos	Green	Moss	Sheen
Ball	Hoogendyk	Nitz	Simpson
Bauer	Horn	Opsommer	Stahl
Brandenburg	Hune	Palmer	Stakoe
Casperson	Knollenberg	Palsrok	Steil
Caswell	Law, David	Pastor	Walker
Caul	Marleau	Pavlov	Wenke
Elsenheimer	Meltzer	Pearce	

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Tobocman moved that Reps. Gillard, Leland and Meisner be excused temporarily from today's session.  
The motion prevailed.

**House Bill No. 6056, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20173a (MCL 333.20173a), as amended by 2008 PA 123.

The Senate has amended the bill as follows:

1. Amend page 6, line 9, after the second "April 1," by striking out "2009" and inserting "**2011**".

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1162****Yeas—62**

Accavitti	Coulouris	Jackson	Proos
Angerer	Cushingberry	Johnson	Rocca
Ball	Dean	Jones, Robert	Sak

Bauer	Dillon	Lahti	Schuitmaker
Bennett	Donigan	Law, Kathleen	Scott
Bieda	Ebli	LeBlanc	Simpson
Brown	Espinoza	Lemmons	Smith, Alma
Byrnes	Farrah	Lindberg	Smith, Virgil
Byrum	Gaffney	Mayes	Spade
Caswell	Gonzales	McDowell	Tobocman
Cheeks	Griffin	Meadows	Valentine
Clack	Hammel	Melton	Ward
Clemente	Hammon	Moore	Warren
Condino	Hood	Nofs	Wojno
Constan	Hopgood	Polidori	Young
Corriveau	Hune		

**Nays—43**

Acciavatti	Garfield	Marleau	Pearce
Agema	Green	Meekhof	Robertson
Amos	Hansen	Meltzer	Shaffer
Booher	Hildenbrand	Moolenaar	Sheen
Brandenburg	Hoogendyk	Moss	Sheltrown
Calley	Horn	Nitz	Stahl
Casperson	Huizenga	Opsommer	Stakoe
Caul	Jones, Rick	Palmer	Steil
DeRoche	Knollenberg	Palsrok	Walker
Elsenheimer	LaJoy	Pastor	Wenke
Emmons	Law, David	Pavlov	

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 6057, entitled**

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 134a (MCL 330.1134a), as added by 2006 PA 27.

The Senate has amended the bill as follows:

1. Amend page 6, line 15, after “1,” by striking out “2008” and inserting “2011”.

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1163****Yeas—68**

Accavitti	Coulouris	Jackson	Proos
Angerer	Cushingberry	Johnson	Rocca
Ball	Dean	Jones, Robert	Sak
Bauer	Dillon	Lahti	Schuitmaker



Bennett	Donigan	Law, Kathleen	Scott
Bieda	Ebli	LeBlanc	Shaffer
Brown	Espinoza	Leland	Simpson
Byrnes	Farrah	Lemmons	Smith, Alma
Byrum	Gaffney	Lindberg	Smith, Virgil
Caswell	Gillard	Mayes	Spade
Caul	Gonzales	McDowell	Steil
Cheeks	Griffin	Meadows	Tobocman
Clack	Hammel	Meisner	Valentine
Clemente	Hammon	Melton	Ward
Condino	Hood	Moore	Warren
Constan	Hopgood	Nofs	Wojno
Corriveau	Hune	Polidori	Young

### Nays—40

Acciavatti	Garfield	Law, David	Pastor
Agema	Green	Marleau	Pavlov
Amos	Hansen	Meekhof	Pearce
Booher	Hildenbrand	Meltzer	Robertson
Brandenburg	Hoogendyk	Moolenaar	Sheen
Calley	Horn	Moss	Sheltrown
Casperson	Huizenga	Nitz	Stahl
DeRoche	Jones, Rick	Opsommer	Stakoe
Elsenheimer	Knollenberg	Palmer	Walker
Emmons	LaJoy	Palsrok	Wenke

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

### House Bill No. 6726, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 20, 20j, and 32b (MCL 388.1620, 388.1620j, and 388.1632b), as amended by 2008 PA 268.

The Senate has amended the bill as follows:

1. Amend page 22, line 25, after “**NOT**” by striking out “**LESS**” and inserting “**LATER**”.
2. Amend page 23, line 4, after “**CORPORATION.**” by inserting “**THE CORPORATION SHALL NOTIFY EACH OF THE LEGISLATIVE LEADERS OF THIS REQUIREMENT TO SUBMIT A LIST OF NOMINEES NOT LATER THAN 30 DAYS BEFORE THE DATE THAT THE LIST IS DUE.**”.
3. Amend page 23, line 12, after “**LEADERS.**” by striking out the balance of the line through “year.” on line 15.
4. Amend page 23, line 21, after “**TERM,**” by striking out the balance of the line through “the” on line 23 and inserting “**THE CORPORATION SHALL NOTIFY THE LEGISLATIVE LEADER WHO ORIGINALLY NOMINATED THE MEMBER OF THE VACANCY AND THAT LEGISLATIVE LEADER SHALL SUBMIT TO THE GOVERNOR A LIST OF 3 OR MORE INDIVIDUALS AS NOMINEES FOR APPOINTMENT TO FILL THE VACANCY WITHIN 30 DAYS AFTER BEING NOTIFIED BY THE CORPORATION OF THE VACANCY. THE**”.
5. Amend page 23, line 26, after “occurs.” by striking out the balance of the subdivision.

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1164****Yeas—108**

Accavitti	DeRoche	Jones, Robert	Pavlov
Acciavatti	Dillon	Knollenberg	Pearce
Agema	Donigan	Lahti	Polidori
Amos	Ebli	LaJoy	Proos
Angerer	Elsenheimer	Law, David	Robertson
Ball	Emmons	Law, Kathleen	Rocca
Bauer	Espinoza	LeBlanc	Sak
Bennett	Farrah	Leland	Schuitmaker
Bieda	Gaffney	Lemmons	Scott
Booher	Garfield	Lindberg	Shaffer
Brandenburg	Gillard	Marleau	Sheen
Brown	Gonzales	Mayes	Sheltrown
Byrnes	Green	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Smith, Virgil
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Cheeks	Hood	Moolenaar	Steil
Clack	Hoogendyk	Moore	Tobocman
Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nitz	Walker
Constan	Huizenga	Nofs	Ward
Corriveau	Hune	Opsommer	Warren
Coulouris	Jackson	Palmer	Wenke
Cushingberry	Johnson	Palsrok	Wojno
Dean	Jones, Rick	Pastor	Young

**Nays—0**

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 6455, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2004 PA 52.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1165****Yeas—108**

Accavitti	DeRoche	Jones, Robert	Pavlov
Acciavatti	Dillon	Knollenberg	Pearce

Agema	Donigan	Lahti	Polidori
Amos	Ebli	LaJoy	Proos
Angerer	Elsenheimer	Law, David	Robertson
Ball	Emmons	Law, Kathleen	Rocca
Bauer	Espinoza	LeBlanc	Sak
Bennett	Farrah	Leland	Schuitmaker
Bieda	Gaffney	Lemmons	Scott
Booher	Garfield	Lindberg	Shaffer
Brandenburg	Gillard	Marleau	Sheen
Brown	Gonzales	Mayes	Sheltrown
Byrnes	Green	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Smith, Virgil
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Cheeks	Hood	Moolenaar	Steil
Clack	Hoogendyk	Moore	Tobocman
Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nitz	Walker
Constan	Huizenga	Nofs	Ward
Corriveau	Hune	Opsommer	Warren
Coulouris	Jackson	Palmer	Wenke
Cushingberry	Johnson	Palsrok	Wojno
Dean	Jones, Rick	Pastor	Young

### Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Sak moved that Rep. Dillon be excused temporarily from today's session.

The motion prevailed.

### House Bill No. 5639, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 623a, 1267, and 1274 (MCL 380.623a, 380.1267, and 380.1274), section 623a as amended by 2007 PA 45, section 1267 as amended by 2004 PA 232, and section 1274 as amended by 2004 PA 588.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1166****Yeas—102**

Accavitti	DeRoche	LaJoy	Polidori
Acciavatti	Donigan	Law, David	Proos
Amos	Ebli	Law, Kathleen	Robertson
Angerer	Elsenheimer	LeBlanc	Rocca
Ball	Emmons	Leland	Sak
Bauer	Espinoza	Lemmons	Schuitmaker
Bennett	Farrah	Lindberg	Scott
Bieda	Gaffney	Marleau	Shaffer
Booher	Gillard	Mayes	Sheen
Brandenburg	Gonzales	McDowell	Sheltrown
Brown	Green	Meadows	Simpson
Byrnes	Griffin	Meekhof	Smith, Alma
Byrum	Hammel	Meisner	Smith, Virgil
Calley	Hammon	Melton	Spade
Casperson	Hansen	Meltzer	Stahl
Caswell	Hildenbrand	Moolenaar	Stakoe
Caul	Hood	Moore	Steil
Cheeks	Hopgood	Moss	Tobocman
Clack	Horn	Nitz	Valentine
Clemente	Huizenga	Nofs	Walker
Condino	Hune	Opsommer	Ward
Constan	Jackson	Palsrok	Warren
Corriveau	Johnson	Pastor	Wenke
Coulouris	Jones, Rick	Pavlov	Wojno
Cushingberry	Jones, Robert	Pearce	Young
Dean	Lahti		

**Nays—5**

Agema	Hoogendyk	Knollenberg	Palmer
Garfield			

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Tobocman moved that Rep. Hopgood be excused temporarily from today's session.  
The motion prevailed.

Rep. Hansen moved that Rep. Nitz be excused temporarily from today's session.  
The motion prevailed.

**House Bill No. 6437, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7q (MCL 211.7q), as added by 1980 PA 142.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

# **Roll Call No. 1167**

# **Yeas—105**

Accavitti	DeRoche	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lemmons	Scott
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Horn	Moss	Valentine
Clemente	Huizenga	Nofs	Walker
Condino	Hune	Opsommer	Ward
Constan	Jackson	Palmer	Warren
Corriveau	Johnson	Palsrok	Wenke
Coulouris	Jones, Rick	Pastor	Wojno
Cushingberry	Jones, Robert	Pavlov	Young
Dean			

# **Nays—0**

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

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Rep. Tobocman moved that Rep. Gillard be excused temporarily from today's session.

The motion prevailed.

**House Bill No. 6438, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1168****Yeas—106**

Accavitti	DeRoche	Lahti	Pearce
Acciavatti	Donigan	LaJoy	Polidori
Agema	Ebli	Law, David	Proos
Amos	Elsenheimer	Law, Kathleen	Robertson
Angerer	Emmons	LeBlanc	Rocca
Ball	Espinoza	Leland	Sak
Bauer	Farrah	Lemmons	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Garfield	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brandenburg	Green	McDowell	Sheltrown
Brown	Griffin	Meadows	Simpson
Byrnes	Hammel	Meekhof	Smith, Alma
Byrum	Hammon	Meisner	Smith, Virgil
Calley	Hansen	Melton	Spade
Casperson	Hildenbrand	Meltzer	Stahl
Caswell	Hood	Moolenaar	Stakoe
Caul	Hoogendyk	Moore	Steil
Cheeks	Hopgood	Moss	Tobocman
Clack	Horn	Nitz	Valentine
Clemente	Huizenga	Nofs	Walker
Condino	Hune	Opsommer	Ward
Constan	Jackson	Palmer	Warren
Corriveau	Johnson	Palsrok	Wenke
Coulouris	Jones, Rick	Pastor	Wojno
Cushingberry	Jones, Robert	Pavlov	Young
Dean	Knollenberg		

**Nays—0**

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Tobocman moved that Rep. Farrah be excused temporarily from today’s session.

The motion prevailed.

Rep. Hansen moved that Rep. DeRoche be excused temporarily from today's session.  
The motion prevailed.

### **House Bill No. 5008, entitled**

A bill to enact the uniform securities act (2002) relating to the issuance, offer, sale, or purchase of securities; to prohibit fraudulent practices in relation to securities; to establish civil and criminal sanctions for violations of the act and civil sanctions for violation of the rules promulgated pursuant to the act; to require the registration of broker-dealers, agents, investment advisers, and securities; to make uniform the law with reference to securities; and to repeal acts and parts of acts.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### **Roll Call No. 1169**

### **Yeas—105**

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Amos	Emmons	Law, Kathleen	Robertson
Angerer	Espinoza	LeBlanc	Rocca
Ball	Gaffney	Leland	Sak
Bauer	Garfield	Lemmons	Schuitmaker
Bennett	Gillard	Lindberg	Scott
Bieda	Gonzales	Marleau	Shaffer
Booher	Green	Mayes	Sheen
Brandenburg	Griffin	McDowell	Sheltrown
Brown	Hammel	Meadows	Simpson
Byrnes	Hammon	Meekhof	Smith, Alma
Byrum	Hansen	Meisner	Smith, Virgil
Calley	Hildenbrand	Melton	Spade
Casperson	Hood	Meltzer	Stahl
Caswell	Hoogendyk	Moolenaar	Stakoe
Caul	Hopgood	Moore	Steil
Cheeks	Horn	Moss	Tobocman
Clack	Huizenga	Nitz	Valentine
Clemente	Hune	Nofs	Walker
Condino	Jackson	Opsommer	Ward
Constan	Johnson	Palmer	Warren
Corriveau	Jones, Rick	Palsrok	Wenke
Coulouris	Jones, Robert	Pastor	Wojno
Cushingberry	Knollenberg	Pavlov	Young
Dean			

### **Nays—0**

In The Chair: Sak

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.



Rep. Proos moved that Rep. Garfield be excused temporarily from today's session.  
The motion prevailed.

### **House Bill No. 5969, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 5b, 5l, 5o, 8, and 9 (MCL 28.422, 28.425b, 28.425l, 28.425o, 28.428, and 28.429), section 2 as amended by 2004 PA 101, section 5b as amended by 2006 PA 350, section 5l as amended by 2006 PA 456, section 5o as amended by 2002 PA 719, section 8 as amended by 2000 PA 381, and section 9 as amended by 2004 PA 100.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 5b, 5l, 5o, 8, 9a, and 9b (MCL 28.422, 28.425b, 28.425l, 28.425o, 28.428, 28.429a, and 28.429b), section 2 as amended by 2008 PA 195, section 5b as amended by 2006 PA 350, section 5l as amended by 2006 PA 456, section 5o as amended by 2008 PA 194, section 8 as amended by 2000 PA 381, and sections 9a and 9b as added by 1990 PA 320.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### **Roll Call No. 1170**

### **Yeas—103**

Accavitti	DeRoche	Jones, Robert	Pastor
Acciavatti	Dillon	Knollenberg	Pavlov
Agema	Donigan	Lahti	Pearce
Amos	Ebli	LaJoy	Polidori
Angerer	Elsenheimer	Law, David	Proos
Ball	Emmons	Law, Kathleen	Robertson
Bennett	Espinoza	LeBlanc	Rocca
Bieda	Farrah	Leland	Sak
Booher	Gaffney	Lemmons	Schuitmaker
Brandenburg	Gillard	Lindberg	Scott
Brown	Gonzales	Marleau	Shaffer
Byrnes	Green	Mayes	Sheen
Byrum	Griffin	McDowell	Sheltrown
Calley	Hammel	Meadows	Simpson
Casperson	Hammon	Meekhof	Smith, Alma
Caswell	Hansen	Meisner	Smith, Virgil
Caul	Hildenbrand	Melton	Spade
Cheeks	Hood	Meltzer	Stahl
Clack	Hoogendyk	Moolenaar	Stakoe
Clemente	Hopgood	Moore	Steil

Condino	Horn	Moss	Valentine
Constan	Huizenga	Nitz	Walker
Corriveau	Hune	Nofs	Ward
Coulouris	Jackson	Opsommer	Wenke
Cushingberry	Johnson	Palmer	Wojno
Dean	Jones, Rick	Palsrok	

**Nays—4**

Bauer	Tobocman	Warren	Young
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In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 6022, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 356a (MCL 750.356a), as amended by 1998 PA 311.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1171****Yeas—107**

Accavitti	DeRoche	Knollenberg	Pearce
Acciavatti	Dillon	Lahti	Polidori
Agema	Donigan	LaJoy	Proos
Amos	Ebli	Law, David	Robertson
Angerer	Elsenheimer	Law, Kathleen	Rocca
Ball	Emmons	LeBlanc	Sak
Bauer	Espinoza	Leland	Schuitmaker
Bennett	Farrah	Lemmons	Scott
Bieda	Gaffney	Lindberg	Shaffer
Booher	Garfield	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nitz	Walker
Condino	Huizenga	Nofs	Ward

Constan  
Corriveau  
Coulouris  
Cushingberry  
Dean

Hune  
Jackson  
Johnson  
Jones, Rick  
Jones, Robert

Opsommer  
Palmer  
Palsrok  
Pastor  
Pavlov

Warren  
Wenke  
Wojno  
Young

### Nays—0

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Tobocman moved that Rep. Dillon be excused temporarily from today's session.  
The motion prevailed.

### House Bill No. 6036, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2926a (MCL 600.2926a).

The Senate has amended the bill as follows:

1. Amend page 2, line 12, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 674 of the 94th Legislature is enacted into law."

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1172

### Yeas—104

Accavitti  
Acciavatti  
Agema  
Amos  
Angerer  
Ball  
Bauer  
Bennett  
Bieda  
Booher  
Brandenburg  
Brown  
Byrnes  
Byrum  
Calley  
Casperson  
Caswell

Dean  
DeRoche  
Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza  
Farrah  
Gaffney  
Garfield  
Gonzales  
Green  
Griffin  
Hammel  
Hammon  
Hansen  
Hildenbrand

Jones, Robert  
Lahti  
LaJoy  
Law, David  
Law, Kathleen  
LeBlanc  
Leland  
Lemmons  
Lindberg  
Marleau  
Mayes  
McDowell  
Meadows  
Meekhof  
Meisner  
Melton  
Meltzer

Pearce  
Polidori  
Proos  
Robertson  
Rocca  
Sak  
Schuitmaker  
Scott  
Shaffer  
Sheen  
Sheltrown  
Simpson  
Smith, Alma  
Smith, Virgil  
Spade  
Stahl  
Stakoe

Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Nitz	Valentine
Clemente	Horn	Nofs	Walker
Condino	Huizenga	Opsommer	Ward
Constan	Hune	Palmer	Warren
Corriveau	Jackson	Palsrok	Wenke
Coulouris	Johnson	Pastor	Wojno
Cushingberry	Jones, Rick	Pavlov	Young

### Nays—3

Gillard	Knollenberg	Moss
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In The Chair: Sak

Rep. Knollenberg moved that his name be removed as co-sponsor of the bill.

The motion prevailed.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Education be discharged from further consideration of **Senate Bill No. 482**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### Senate Bill No. 482, entitled

A bill to amend 2006 PA 479, entitled “Michigan promise grant act,” by amending sections 2 and 4 (MCL 390.1622 and 390.1624), as amended by 2007 PA 42.

The bill was read a second time.

Rep. Melton moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 482, entitled

A bill to amend 2006 PA 479, entitled “Michigan promise grant act,” by amending sections 2 and 4 (MCL 390.1622 and 390.1624), as amended by 2007 PA 42.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1173****Yeas—81**

Accavitti	Cushingberry	Knollenberg	Pearce
Acciavatti	Dean	Lahti	Polidori
Amos	Donigan	LaJoy	Proos
Angerer	Ebli	Law, David	Robertson
Ball	Elsenheimer	Law, Kathleen	Sak
Bauer	Espinoza	LeBlanc	Scott
Bennett	Farrah	Leland	Sheltrown
Bieda	Gaffney	Lemmons	Simpson
Booher	Gillard	Marleau	Smith, Alma
Brandenburg	Gonzales	Mayes	Smith, Virgil
Brown	Griffin	McDowell	Spade
Byrnes	Hammel	Meadows	Stakoe
Byrum	Hansen	Meisner	Tobocman
Caul	Hildenbrand	Melton	Valentine
Cheeks	Hood	Moolenaar	Walker
Clack	Hopgood	Moss	Ward
Clemente	Jackson	Nitz	Warren
Condino	Johnson	Opsommer	Wenke
Constan	Jones, Rick	Palsrok	Wojno
Corriveau	Jones, Robert	Pavlov	Young
Coulouris			

**Nays—26**

Agema	Green	Meekhof	Rocca
Calley	Hammon	Meltzer	Schuitmaker
Casperson	Hoogendyk	Moore	Shaffer
Caswell	Horn	Nofs	Sheen
DeRoche	Huizenga	Palmer	Stahl
Emmons	Hune	Pastor	Steil
Garfield	Lindberg		

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the administration of the Michigan promise grant program; to provide for the powers and duties of certain state officers and entities; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Government Operations be discharged from further consideration of **House Resolution No. 422.**

The motion prevailed, a majority of the members serving voting therefor.

The Speaker laid before the House

**House Resolution No. 422.**

A resolution to memorialize Congress to reduce the price of traditional passports, by directly lowering the cost to consumers or by offering fully refundable federal income tax deductions to citizens who live in border states

(For text of resolution, see House Journal No. 72, p. 2120.)

(The resolution was discharged from the Committee on Government Operations on December 18.)

The question being on the adoption of the resolution,

The resolution was adopted.

### Messages from the Senate

The Senate returned, in accordance with the request of the House

**Senate Bill No. 1236, entitled**

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending sections 9515, 9516, 9520, and 9521 (MCL 440.9515, 440.9516, 440.9520, and 440.9521), as added by 2000 PA 348; and to repeal acts and parts of acts.

(The bill was passed on December 11, see House Journal No. 93, p. 3081.)

Rep. Tobocman moved to reconsider the vote by which the House passed the bill.

The motion prevailed, a majority of the members serving voting therefor.

### Third Reading of Bills

**Senate Bill No. 1236, entitled**

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending sections 9515, 9516, 9520, and 9521 (MCL 440.9515, 440.9516, 440.9520, and 440.9521), as added by 2000 PA 348; and to repeal acts and parts of acts.

The question being on the passage of the bill,

Rep. Coulouris moved to amend the bill as follows:

1. Amend page 7, line 11, after “**RECORD**” by striking out “**IS INTENDED FOR AN IMPROPER PURPOSE, SUCH AS TO HINDER, HARASS, OR OTHERWISE WRONGFULLY INTERFERE WITH A PERSON. FOR PURPOSES OF THIS SUBSECTION, AN IMPROPER PURPOSE INCLUDES, BUT IS NOT LIMITED TO, ASSERTING**” and inserting “**ASSERTS**”.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1174

### Yeas—107

Accavitti	DeRoche	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lemmons	Scott
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen

Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nitz	Walker
Condino	Huizenga	Nofs	Ward
Constan	Hune	Opsommer	Warren
Corriveau	Jackson	Palmer	Wenke
Coulouris	Johnson	Palsrok	Wojno
Cushingberry	Jones, Rick	Pastor	Young
Dean	Jones, Robert	Pavlov	

### Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to enact the uniform commercial code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, leases, and secured transactions, including certain sales of accounts, chattel paper and contract rights; to provide for public notice to third parties in certain circumstances; to regulate procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; to make an appropriation; to provide penalties; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

### Second Reading of Bills

#### Senate Bill No. 1534, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2080 (MCL 500.2080), as amended by 1986 PA 318.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

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Rep. Lindberg moved that Rep. Lahti be excused temporarily from today’s session.

The motion prevailed.

Rep. Hansen moved that Reps. Amos, Emmons, Huizenga, Knollenberg, David Law, Meekhof, Nofs and Stahl be excused temporarily from today’s session.

The motion prevailed.



Rep. Tobocman moved that Reps. Bieda, Cheeks, Gonzales and Virgil Smith be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 1534, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2080 (MCL 500.2080), as amended by 1986 PA 318.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 1175**

#### **Yeas—94**

Accavitti	DeRoche	LaJoy	Polidori
Acciavatti	Donigan	Law, Kathleen	Proos
Agema	Ebli	LeBlanc	Robertson
Angerer	Elsenheimer	Leland	Rocca
Ball	Espinoza	Lemmons	Sak
Bauer	Farrah	Lindberg	Schuitmaker
Bennett	Gaffney	Marleau	Scott
Booher	Garfield	Mayes	Shaffer
Brandenburg	Gillard	McDowell	Sheen
Brown	Green	Meadows	Sheltrown
Byrnes	Griffin	Meisner	Simpson
Byrum	Hammel	Melton	Smith, Alma
Calley	Hammon	Meltzer	Spade
Casperson	Hansen	Moolenaar	Stakoe
Caswell	Hildenbrand	Moore	Steil
Caul	Hood	Moss	Tobocman
Clack	Hoogendyk	Nitz	Valentine
Clemente	Hopgood	Opsommer	Walker
Condino	Horn	Palmer	Ward
Constan	Hune	Palsrok	Warren
Corriveau	Jackson	Pastor	Wenke
Coulouris	Johnson	Pavlov	Wojno
Cushingberry	Jones, Rick	Pearce	Young
Dean	Jones, Robert		

#### **Nays—0**

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax

on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,"

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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Rep. Tobocman moved that Rep. Melton be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

#### **Messages from the Senate**

#### **House Bill No. 6619, entitled**

A bill to amend 1948 (1st Ex Sess) PA 31, entitled "An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district's boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district's boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district's boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property; and to prescribe penalties and provide remedies," by amending section 11 (MCL 123.961), as amended by 1980 PA 74.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1176****Yeas—83**

Accavitti	Dean	Jones, Robert	Pearce
Acciavatti	Donigan	LaJoy	Polidori
Angerer	Ebli	Law, David	Proos
Ball	Emmons	Law, Kathleen	Rocca
Bauer	Espinoza	LeBlanc	Sak
Bennett	Farrah	Leland	Schuitmaker
Booher	Gaffney	Lemmons	Scott
Brown	Gillard	Lindberg	Shaffer
Byrnes	Gonzales	Marleau	Sheltrown
Byrum	Green	Mayes	Simpson
Calley	Griffin	McDowell	Smith, Alma
Casperson	Hammel	Meadows	Spade
Caul	Hammon	Meekhof	Tobocman
Cheeks	Hansen	Meisner	Valentine
Clack	Hildenbrand	Moolenaar	Walker
Clemente	Hood	Moore	Ward
Condino	Hopgood	Moss	Warren
Constan	Horn	Nitz	Wenke
Corriveau	Jackson	Opsommer	Wojno
Coulouris	Johnson	Palsrok	Young
Cushingberry	Jones, Rick	Pavlov	

**Nays—18**

Agema	Elsenheimer	Meltzer	Sheen
Amos	Garfield	Palmer	Stahl
Brandenburg	Hoogendyk	Pastor	Stakoe
Caswell	Huizenga	Robertson	Steil
DeRoche	Hune		

In The Chair: Sak

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Tobocman moved that Rep. Meisner be excused temporarily from today's session.  
The motion prevailed.

Rep. Hansen moved that Rep. Sheen be excused temporarily from today's session.  
The motion prevailed.

**House Bill No. 6620, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 2005 PA 29.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1177

### Yeas—81

Accavitti	Dean	Jones, Rick	Pearce
Acciavatti	Donigan	Jones, Robert	Polidori
Angerer	Ebli	Lahti	Proos
Ball	Emmons	LaJoy	Rocca
Bauer	Espinoza	Law, David	Sak
Bennett	Farrah	Law, Kathleen	Schuitmaker
Booher	Gaffney	LeBlanc	Scott
Brown	Gillard	Leland	Shaffer
Byrnes	Gonzales	Lemmons	Sheltrown
Byrum	Green	Lindberg	Simpson
Calley	Griffin	Mayes	Smith, Alma
Casperson	Hammel	McDowell	Spade
Caul	Hammon	Meadows	Tobocman
Cheeks	Hansen	Moolenaar	Valentine
Clack	Hildenbrand	Moore	Walker
Clemente	Hood	Moss	Ward
Condino	Hopgood	Nitz	Warren
Constan	Horn	Opsommer	Wenke
Corriveau	Jackson	Palsrok	Wojno
Coulouris	Johnson	Pavlov	Young
Cushingberry			

### Nays—19

Agema	Elsenheimer	Marleau	Robertson
Amos	Garfield	Meekhof	Stahl
Brandenburg	Hoogendyk	Meltzer	Stakoe
Caswell	Huizenga	Palmer	Steil
DeRoche	Hune	Pastor	

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

### House Bill No. 6644, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 203 (MCL 436.1203), as amended by 2005 PA 268.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3) and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-3) made to the bill by the Senate,  
The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1178****Yeas—98**

Accavitti	Cushingberry	Johnson	Pavlov
Acciavatti	Dean	Jones, Rick	Pearce
Agema	DeRoche	Jones, Robert	Polidori
Amos	Donigan	Lahti	Proos
Angerer	Ebli	LaJoy	Robertson
Ball	Elsenheimer	Law, David	Rocca
Bauer	Emmons	Law, Kathleen	Sak
Bennett	Espinoza	LeBlanc	Schuitmaker
Bieda	Farrah	Leland	Scott
Booher	Gaffney	Lemmons	Shaffer
Brandenburg	Gillard	Lindberg	Sheen
Brown	Gonzales	Marleau	Sheltrown
Byrnes	Green	Mayes	Simpson
Byrum	Griffin	McDowell	Smith, Alma
Calley	Hammel	Meadows	Spade
Casperson	Hammon	Meekhof	Stahl
Caswell	Hansen	Moolenaar	Stakoe
Caul	Hildenbrand	Moore	Tobocman
Cheeks	Hood	Moss	Valentine
Clack	Hoogendyk	Nitz	Ward
Clemente	Hopgood	Opsommer	Warren
Condino	Horn	Palmer	Wenke
Constan	Huizenga	Palsrok	Wojno
Corriveau	Hune	Pastor	Young
Coulouris	Jackson		

**Nays—4**

Garfield	Meltzer	Steil	Walker
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In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **Senate Bill No. 1576**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### Senate Bill No. 1576, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3341 (MCL 500.3341), as amended by 2002 PA 656.

The bill was read a second time.

Rep. Hopgood moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

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Rep. Hansen moved that Rep. DeRoche be excused temporarily from today’s session.

The motion prevailed.

Rep. Sak moved that Rep. Meadows be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1576, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3341 (MCL 500.3341), as amended by 2002 PA 656.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1179

#### Yeas—102

Accavitti	Dean	Jones, Robert	Pearce
Acciavatti	Donigan	Knollenberg	Polidori
Agema	Ebli	Lahti	Proos
Amos	Elsenheimer	LaJoy	Robertson
Angerer	Emmons	Law, David	Rocca
Ball	Espinoza	Law, Kathleen	Sak
Bauer	Farrah	LeBlanc	Schuitmaker
Bennett	Gaffney	Leland	Scott
Bieda	Garfield	Lemmons	Shaffer
Booher	Gillard	Lindberg	Sheen
Brandenburg	Gonzales	Marleau	Sheltrown
Brown	Green	Mayes	Simpson
Byrnes	Griffin	McDowell	Smith, Alma
Byrum	Hammel	Meekhof	Spade
Calley	Hammon	Meisner	Stahl
Casperson	Hansen	Meltzer	Stakoe
Caswell	Hildenbrand	Moolenaar	Steil
Caul	Hood	Moore	Tobocman
Cheeks	Hoogendyk	Moss	Valentine
Clack	Hopgood	Nitz	Walker

Clemente	Horn	Opsommer	Ward
Condino	Huizenga	Palmer	Warren
Constan	Hune	Palsrok	Wenke
Corriveau	Jackson	Pastor	Wojno
Coulouris	Johnson	Pavlov	Young
Cushingberry	Jones, Rick		

### Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **Senate Bill No. 1578**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.



**Second Reading of Bills****Senate Bill No. 1578, entitled**

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending section 34b (MCL 400.734b), as amended by 2008 PA 135.

The bill was read a second time.

Rep. Hopgood moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 1578, entitled**

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending section 34b (MCL 400.734b), as amended by 2008 PA 135.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1180****Yeas—100**

Accavitti	Cushingberry	Jones, Robert	Pavlov
Acciavatti	Dean	Knollenberg	Pearce
Agema	Donigan	LaJoy	Polidori
Amos	Ebli	Law, David	Proos
Angerer	Elsenheimer	Law, Kathleen	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Scott
Booher	Garfield	Marleau	Shaffer
Brandenburg	Gillard	Mayes	Sheen
Brown	Gonzales	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Spade
Calley	Hammon	Meisner	Stahl
Casperson	Hansen	Meltzer	Stakoe
Caswell	Hildenbrand	Moolenaar	Steil
Caul	Hoogendyk	Moore	Tobocman
Cheeks	Hopgood	Moss	Valentine
Clack	Horn	Nitz	Walker
Clemente	Huizenga	Nofs	Ward
Condino	Hune	Opsommer	Warren
Constan	Jackson	Palmer	Wenke
Corriveau	Johnson	Palsrok	Wojno
Coulouris	Jones, Rick	Pastor	Young

**Nays—3**

Green

Lahti

Sheltrown

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the licensing and regulation of adult foster care facilities; to provide for the establishment of standards of care for adult foster care facilities; to prescribe powers and duties of the department of social services and other departments; to prescribe certain fees; to prescribe penalties; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **Senate Bill No. 1580**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

### **Second Reading of Bills**

#### **Senate Bill No. 1580, entitled**

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 134a (MCL 330.1134a), as added by 2006 PA 27.

The bill was read a second time.

Rep. Hopgood moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Hopgood moved to amend the bill as follows:

1. Amend page 6, line 14, after “**APRIL 1,**” by striking out “**2008**” and inserting “**2011**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 1580, entitled**

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 134a (MCL 330.1134a), as added by 2006 PA 27.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 1181**

#### **Yeas—101**

Accavitti  
Acciavatti  
Agema  
Amos  
Angerer  
Ball  
Bauer

Dean  
Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza  
Farrah

Jones, Robert  
Knollenberg  
LaJoy  
Law, David  
Law, Kathleen  
LeBlanc  
Leland

Pavlov  
Pearce  
Polidori  
Proos  
Robertson  
Rocca  
Sak

Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Griffin	McDowell	Simpson
Byrnes	Hammel	Meadows	Smith, Alma
Byrum	Hammon	Meekhof	Spade
Calley	Hansen	Meisner	Stahl
Casperson	Hildenbrand	Meltzer	Stakoe
Caswell	Hood	Moolenaar	Steil
Caul	Hoogendyk	Moore	Tobocman
Cheeks	Hopgood	Moss	Valentine
Clack	Horn	Nitz	Walker
Clemente	Huizenga	Nofs	Ward
Condino	Hune	Opsommer	Warren
Constan	Jackson	Palmer	Wenke
Corriveau	Johnson	Palsrok	Wojno
Coulouris	Jones, Rick	Pastor	Young
Cushingberry			

### Nays—3

Green

Lahti

Sheltrown

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **Senate Bill No. 1581**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### Senate Bill No. 1581, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 82147 (MCL 324.82147), as amended by 2001 PA 148.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 1581, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82147 (MCL 324.82147), as amended by 2001 PA 148.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 1182**

#### **Yeas—105**

Accavitti	Donigan	Knollenberg	Pearce
Acciavatti	Ebli	Lahti	Polidori
Amos	Elsenheimer	LaJoy	Proos
Angerer	Emmons	Law, David	Robertson
Ball	Espinoza	Law, Kathleen	Rocca
Bauer	Farrah	LeBlanc	Sak
Bennett	Gaffney	Leland	Schuitmaker
Bieda	Garfield	Lemmons	Scott
Booher	Gillard	Lindberg	Shaffer
Brandenburg	Gonzales	Marleau	Sheen
Brown	Green	Mayes	Sheltrown
Byrnes	Griffin	McDowell	Simpson
Byrum	Hammel	Meadows	Smith, Alma
Calley	Hammon	Meekhof	Smith, Virgil
Casperson	Hansen	Meisner	Spade
Caswell	Hildenbrand	Melton	Stahl
Caul	Hood	Meltzer	Stakoe
Cheeks	Hoogendyk	Moolenaar	Steil
Clack	Hopgood	Moore	Tobocman
Clemente	Horn	Moss	Valentine
Condino	Huizenga	Nitz	Walker
Constan	Hune	Nofs	Ward
Corriveau	Jackson	Opsommer	Warren
Coulouris	Johnson	Palsrok	Wenke
Cushingberry	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche			

#### **Nays—2**

Agema

Palmer

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the

environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 345**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

### **Second Reading of Bills**

#### **Senate Bill No. 345, entitled**

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 9 (MCL 207.559), as amended by 2006 PA 436.

The bill was read a second time.

Rep. Meisner moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 345, entitled**

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 9 (MCL 207.559), as amended by 2006 PA 436.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### **Roll Call No. 1183**

### **Yeas—106**

Accavitti  
Acciavatti

DeRoche  
Donigan

Lahti  
LaJoy

Pearce  
Polidori

Agema	Ebli	Law, David	Proos
Amos	Elsenheimer	Law, Kathleen	Robertson
Angerer	Emmons	LeBlanc	Rocca
Ball	Espinoza	Leland	Sak
Bauer	Farrah	Lemmons	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Garfield	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brandenburg	Green	McDowell	Sheltrown
Brown	Griffin	Meadows	Simpson
Byrnes	Hammel	Meekhof	Smith, Alma
Byrum	Hammon	Meisner	Smith, Virgil
Calley	Hansen	Melton	Spade
Casperson	Hildenbrand	Meltzer	Stahl
Caswell	Hood	Moolenaar	Stakoe
Caul	Hoogendyk	Moore	Steil
Cheeks	Hopgood	Moss	Tobocman
Clack	Horn	Nitz	Valentine
Clemente	Huizenga	Nofs	Walker
Condino	Hune	Opsommer	Ward
Constan	Jackson	Palmer	Warren
Corriveau	Johnson	Palsrok	Wenke
Coulouris	Jones, Rick	Pastor	Wojno
Cushingberry	Jones, Robert	Pavlov	Young
Dean	Knollenberg		

### Nays—0

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 9 (MCL 207.559), as amended by 2008 PA 170.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1558, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 525, 537, 541, and 603 (MCL 436.1525, 436.1537, 436.1541, and 436.1603), sections 525, 537, and 603 as amended by 2008 PA 218 and section 541 as amended by 2006 PA 253, and by adding section 545.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Regulatory Reform,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Farrah moved to amend the bill as follows:

1. Amend page 1, following “**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**” by inserting:

“Sec. 513. (1) The commission may issue to the governing board of a college or university, without regard to the quota provisions of section 531, a license to sell alcoholic liquor for consumption on the premises of a conference center

operated by the governing board. Licenses granted under this subsection may be used only for the sale of alcoholic liquor at regularly scheduled conference center activities. The sale of alcoholic liquor to unscheduled patrons or at unscheduled events is prohibited under this subsection.

(2) Subject to the provisions of section 531, the commission may issue a license to a private entity for the sale of alcoholic liquor for consumption on the premises of a hotel located on land owned by central Michigan university if both of the following circumstances exist:

(a) The land is leased or subleased at fair market value to a private entity that owns, leases, or subleases the hotel building and its fixtures.

(b) The hotel and land are located within an industrial, research, or commercial development park established by the governing board of central Michigan university.

(3) Licenses issued pursuant to this section are nontransferable, and the licensee shall pay the fee required under section 525.

(4) As used in this section:

(a) "College" or "university" means a 2-year or 4-year state supported institution of higher education.

(b) "Conference center" means a building or portion of a building, other than a student residence hall or student center, which has meeting rooms, banquet areas, social halls, overnight accommodations, and related facilities for special activities scheduled by the college or university, which in the judgment of the commission, has been regularly used for conferences and lodging of guests. The convocation center and the corporate education center at eastern Michigan university, the Kirkhof and Eberhard centers at Grand Valley state university, the Bernhard center at western Michigan university, the Wadsworth center at Michigan technological university, the West complex at Saginaw Valley state university, the conference center at Big Rapids, the applied technology center at Grand Rapids and the FSU-GR conference center of Ferris state university, Grand Rapids junior college, the Waterman campus center at Schoolcraft college, the Mendel center at Lake Michigan community college, the McGregor memorial conference center at Wayne state university, the Michigan state university management educational center, the Superior dome at northern Michigan university, the Walker Cisler center at Lake Superior state university, the Marie Prahll college center at Mott community college, the John T. Parsons and Frank L. Stulen Michigan technical education center, the Gerald and Frances Oleson center, the Dennos museum center, and the Great Lakes campus at northwestern Michigan college, the farmhouse at Delta college, the Oakland community college culinary studies institute, **THE WESTERN MICHIGAN UNIVERSITY DOWNTOWN GRAND RAPIDS CAMPUS, THE LA-Z-BOY CENTER AT MONROE COMMUNITY COLLEGE**, and the performing arts and cultural center complex at Macomb community college are considered conference centers for the purposes of this act."

2. Amend page 16, line 24, after "**SECTION**" by striking out "**25.52A**" and inserting "**25.52**".

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Farrah moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 1558, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 525, 537, 541, and 603 (MCL 436.1525, 436.1537, 436.1541, and 436.1603), sections 525, 537, and 603 as amended by 2008 PA 218 and section 541 as amended by 2006 PA 253, and by adding section 545.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 1184**

#### **Yeas—105**

Accavitti  
Acciavatti  
Agema  
Amos

DeRoche  
Donigan  
Ebli  
Elsenheimer

Lahti  
LaJoy  
Law, David  
Law, Kathleen

Pearce  
Polidori  
Proos  
Robertson



Angerer	Emmons	LeBlanc	Rocca
Ball	Espinoza	Leland	Sak
Bauer	Farrah	Lemmons	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Garfield	Marleau	Shaffer
Booher	Gillard	Mayes	Sheen
Brandenburg	Gonzales	McDowell	Sheltrown
Brown	Griffin	Meadows	Simpson
Byrnes	Hammel	Meekhof	Smith, Alma
Byrum	Hammon	Meisner	Smith, Virgil
Calley	Hansen	Melton	Spade
Casperson	Hildenbrand	Meltzer	Stahl
Caswell	Hood	Moolenaar	Stakoe
Caul	Hoogendyk	Moore	Steil
Cheeks	Hopgood	Moss	Tobocman
Clack	Horn	Nitz	Valentine
Clemente	Huizenga	Nofs	Walker
Condino	Hune	Opsommer	Ward
Constan	Jackson	Palmer	Warren
Corriveau	Johnson	Palsrok	Wenke
Coulouris	Jones, Robert	Pastor	Wojno
Cushingberry	Knollenberg	Pavlov	Young
Dean			

### Nays—2

Green                                      Jones, Rick

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 603 (MCL 436.1603), as amended by 2008 PA 218.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 1491, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7d (MCL 211.7d), as amended by 1998 PA 469.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Tax Policy,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Bieda moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

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Rep. Tobocman moved that Reps. Scott, Young and Hopgood be excused temporarily from today's session.

The motion prevailed.

Rep. Hansen moved that Rep. Steil be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 1491, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7d (MCL 211.7d), as amended by 1998 PA 469.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 1185**

#### **Yeas—103**

Accavitti	Dean	Jones, Robert	Pastor
Acciavatti	DeRoche	Knollenberg	Pavlov
Agema	Donigan	Lahti	Pearce
Amos	Ebli	LaJoy	Polidori
Angerer	Elsenheimer	Law, David	Proos
Ball	Emmons	Law, Kathleen	Robertson
Bauer	Espinoza	LeBlanc	Rocca
Bennett	Farrah	Leland	Sak
Bieda	Gaffney	Lemmons	Schuitmaker
Booher	Garfield	Lindberg	Shaffer
Brandenburg	Gillard	Marleau	Sheen
Brown	Gonzales	Mayes	Sheltrown
Byrnes	Green	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Smith, Virgil
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Cheeks	Hood	Moolenaar	Tobocman
Clack	Hoogendyk	Moore	Valentine
Clemente	Horn	Moss	Walker
Condino	Huizenga	Nitz	Ward
Constan	Hune	Nofs	Warren
Corriveau	Jackson	Opsommer	Wenke

Coulouris  
Cushingberry

Johnson  
Jones, Rick

Palmer  
Palsrok

Wojno

### Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 1445**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### **Senate Bill No. 1445, entitled**

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending section 102 (MCL 450.4102), as amended by 2002 PA 686.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### **Senate Bill No. 1445, entitled**

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending section 102 (MCL 450.4102), as amended by 2002 PA 686.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1186****Yeas—106**

Accavitti	DeRoche	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Ebli	LaJoy	Polidori
Amos	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Smith, Virgil
Casperson	Hansen	Melton	Spade
Caswell	Hildenbrand	Meltzer	Stahl
Caul	Hood	Moolenaar	Stakoe
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nitz	Walker
Condino	Huizenga	Nofs	Ward
Constan	Hune	Opsommer	Warren
Corriveau	Jackson	Palmer	Wenke
Coulouris	Johnson	Palsrok	Wojno
Cushingberry	Jones, Rick	Pastor	Young
Dean	Jones, Robert		

**Nays—0**

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the organization and regulation of limited liability companies; to prescribe their duties, rights, powers, immunities, and liabilities; to prescribe the powers and duties of certain state departments and agencies; and to provide for penalties and remedies,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 1446**.

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### Senate Bill No. 1446, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending sections 204, 206, 803, and 1004 (MCL 450.4204, 450.4206, 450.4803, and 450.5004), section 204 as amended by 2002 PA 686 and section 206 as amended by 1997 PA 52.

The bill was read a second time.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1446, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending sections 204, 206, 803, and 1004 (MCL 450.4204, 450.4206, 450.4803, and 450.5004), section 204 as amended by 2002 PA 686 and section 206 as amended by 1997 PA 52.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1187

#### Yeas—105

Accavitti	DeRoche	Jones, Robert	Pavlov
Acciavatti	Donigan	Knollenberg	Pearce
Agema	Ebli	Lahti	Polidori
Amos	Elsenheimer	LaJoy	Proos
Angerer	Emmons	Law, David	Robertson
Ball	Espinoza	Law, Kathleen	Rocca
Bauer	Farrah	LeBlanc	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Smith, Virgil
Casperson	Hansen	Melton	Spade
Caswell	Hildenbrand	Meltzer	Stahl
Caul	Hood	Moolenaar	Stakoe
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nitz	Walker
Condino	Huizenga	Nofs	Ward
Constan	Hune	Opsommer	Warren
Corriveau	Jackson	Palmer	Wenke
Coulouris	Johnson	Palsrok	Wojno
Cushingberry	Jones, Rick	Pastor	Young
Dean			

#### Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the organization and regulation of limited liability companies; to prescribe their duties, rights, powers, immunities, and liabilities; to prescribe the powers and duties of certain state departments and agencies; and to provide for penalties and remedies,”

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### Senate Bill No. 982, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 437 (MCL 208.1437).

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on New Economy and Quality of Life,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

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Rep. Angerer moved that Rep. Tobocman be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 982, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 437 (MCL 208.1437).

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1188

#### Yeas—105

Accavitti	DeRoche	Jones, Robert	Pastor
Acciavatti	Donigan	Knollenberg	Pavlov
Agema	Ebli	Lahti	Pearce
Amos	Elsenheimer	LaJoy	Polidori
Angerer	Emmons	Law, David	Proos
Ball	Espinoza	Law, Kathleen	Robertson
Bauer	Farrah	LeBlanc	Rocca
Bennett	Gaffney	Leland	Sak
Bieda	Garfield	Lemmons	Schuitmaker
Booher	Gillard	Lindberg	Scott
Brandenburg	Gonzales	Marleau	Shaffer
Brown	Green	Mayes	Sheen
Byrnes	Griffin	McDowell	Sheltrown
Byrum	Hammel	Meadows	Simpson
Calley	Hammon	Meekhof	Smith, Alma
Casperson	Hansen	Meisner	Smith, Virgil
Caswell	Hildenbrand	Melton	Spade
Caul	Hood	Meltzer	Stahl

Cheeks	Hoogendyk	Moolenaar	Stakoe
Clack	Hopgood	Moore	Valentine
Clemente	Horn	Moss	Walker
Condino	Huizenga	Nitz	Ward
Constan	Hune	Nofs	Warren
Corriveau	Jackson	Opsommer	Wenke
Coulouris	Johnson	Palmer	Wojno
Cushingberry	Jones, Rick	Palsrok	Young
Dean			

**Nays—0**

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

A bill to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” by amending section 437 (MCL 208.1437), as amended by 2008 PA 89.

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Reps. Meadows, Accavitti, Amos, Ball, Bauer, Bieda, Booher, Brown, Byrnes, Byrum, Caul, Clack, Clemente, Constan, Corriveau, Cushingberry, Dean, Garfield, Gonzales, Hammon, Hansen, Hopgood, Horn, Huizenga, Johnson, Rick Jones, Robert Jones, Kathleen Law, Leland, Lemmons, Marleau, Mayes, Opsommer, Palmer, Polidori, Rocca, Sak, Simpson, Alma Smith, Spade, Tobocman, Vagnozzi, Valentine, Nitz and Pearce offered the following resolution:

#### **House Resolution No. 517.**

A resolution congratulating Michigan State University on being selected by the United States Department of Energy to design and establish the Facility for Rare Isotope Beams.

Whereas, Michigan State University has been a leader in research and cutting-edge technology for over a century; and

Whereas, The United States Department of Energy has selected Michigan State University in East Lansing, Michigan to design and establish the Facility for Rare Isotope Beams; and

Whereas, The Facility for Rare Isotope Beams will provide research opportunities for an international community of approximately 1,000 university and laboratory scientists, postdoctoral associates, and graduate students; and

Whereas, The Facility for Rare Isotope Beams is expected to bring over \$1 billion in economic activity to the state of Michigan; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate Michigan State University on being selected by the United States Department of Energy to design and establish the Facility for Rare Isotope Beams; and be it further

Resolved, That the members of this legislative body recognize and congratulate the university for the past and future contributions to the state of Michigan.

Pending the reference of the resolution to a committee,

Rep. Angerer moved that Rule 71 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.



Reps. Gonzales, Accavitti, Amos, Ball, Bieda, Booher, Brown, Byrnes, Caul, Clack, Constan, Cushingberry, Dean, Hammon, Hansen, Hopgood, Huizenga, Johnson, Robert Jones, Kathleen Law, Lemmons, Marleau, Meadows, Palmer, Polidori, Sak, Shaffer, Alma Smith, Spade, Tobocman, Vagnozzi, Valentine, Leland, Nitz and Pearce offered the following resolution:

**House Resolution No. 518.**

A resolution congratulating Carman-Ainsworth's Rankin Elementary Team 55 for their victory in the FIRST LEGO League 2008.

Whereas, We recognize the FIRST (For Inspiration and Recognition of Science and Technology) LEGO League, an annual statewide and international competition for elementary and middle school students, for inspiring youth to engage in real-world topics related to the sciences; and

Whereas, FIRST LEGO League is an opportunity for students to celebrate science and technology by using LEGO bricks, sensors, motors and gears to construct and program a robot that can complete various timed missions. Students must research, strategize, design, build and test their robots in order to complete the challenge; and

Whereas, The 2008 challenge was "Climate Connections" where teams explored why experts believe earth's climate is changing and how it impacts people and the planet; and

Whereas, Forty-eight teams across the state, including five teams from Genesee County, gathered for the championship tournament at Carman-Ainsworth Middle School in Flint Township on December 15, 2008, to compete for a place at the finals competition in the spring; and

Whereas, Rankin Elementary team will retain their state-championship title, for the third time, and go on to represent Michigan at the FIRST LEGO League World Festival in Atlanta, Georgia in April 2009; now, therefore, be it

Resolved, That the members of this legislative body congratulate the Carman-Ainsworth's Rankin Elementary Team 55, known as Da Peeps, for their victory in the FIRST LEGO League 2008. We applaud the efforts and contributions made by the students, parents, teachers and coaches that participated in this year's tournament; and therefore, be it

Resolved, That we recognize the FIRST LEGO League for engaging our youth and promoting critical thinking skills and solutions in the field of science and technology.

Pending the reference of the resolution to a committee,

Rep. Angerer moved that Rule 71 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Meadows offered the following resolution:

**House Resolution No. 519.**

A resolution honoring the life of Kevin Kelly.

Whereas, Mr. Kelly served the 16,000-member Michigan State Medical Society (MSMS) his entire career, beginning shortly after graduating from Michigan State University in 1978, where he earned a degree in economics. After graduation, he started as a legislative coordinator in 1979. In 1987, Mr. Kelly became managing director and in 2005 was named executive director, succeeding William E. Madigan; and

Whereas, Julie L. Novak, acting executive director of MSMS said, "Kevin has been a mentor and an inspiration to many people, and his passion for life permeated everything that he did. The good fortune of knowing someone like him makes us all better people, and his influence will have a ripple effect for generations. We will miss him, but we will carry a little of him with us forever"; and

Whereas, Successes during his career at MSMS include the MSMS *Future of Medicine* initiative, a Michigan Patients' Bill of Rights, nation-leading medical liability reform, increased AIDS education, stabilized funding of the Medicaid program, domestic violence education, and improved end-of-life care. He also was dedicated to banning smoking in workplaces, improving childhood immunization rates, and patient safety education, among many other health care issues; and

Whereas, Mr. Kelly's seemingly limitless energy was shared with a variety of organizations outside of MSMS including: Ele's Place, the Children's Trust Fund, Michigan's Children, Capitol National Bank board of directors, Michigan Hospice Organization, Michigan Health Council, Michigan Sudden Infant Death Syndrome Alliance, Michigan Transplant Policy Center, Michigan Public Health Association, American Cancer Society, Gilda's Club, Michigan Festival, Michigan Political History Society, People's Church, MSU's Wharton Center, the Sparrow Hospital Foundation, and various advisory councils for the city of East Lansing, Lansing Community College, and Sparrow Hospital; and

Whereas, In 2004, Mr. Kelly received one of his alma mater's highest honors, the MSU Distinguished Alumni Award. In 1999, Mr. Kelly received one of the American Medical Association's highest awards, the Medical Executive Achievement Award. Other awards include: the Strategic Association Leader Award from the Michigan Society of Association Executives and the Vernice Davis Anthony Ele's Place Award recognizing his leadership of that agency's efforts to counsel grieving children. Also, most recently, on December 9, 2008, the advocacy group, Michigan's Children, named him the first recipient of the annual Kevin A. Kelly Children's Advocate Award; and

Whereas, Mr. Kelly's motto of "showing up" is "Hard on issues, soft on people." This respectful attitude toward others in public policy development garnered respect from every quarter, ally and opponent, alike; now, therefore, be it

Resolved, That the members of this legislative body honor the life of Kevin Kelly, a lifelong champion of, not only the medical community, but his local community as well; and be it further

Resolved, That a copy of this resolution be transmitted to the Kelly family in the presence of our esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

#### **Announcement by the Clerk of Printing and Enrollment**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, December 15, for her approval of the following bills:

**Enrolled House Bill No. 4552 at 10:31 a.m.**  
**Enrolled House Bill No. 4938 at 10:33 a.m.**  
**Enrolled House Bill No. 5160 at 10:35 a.m.**  
**Enrolled House Bill No. 5722 at 10:37 a.m.**  
**Enrolled House Bill No. 5769 at 10:39 a.m.**  
**Enrolled House Bill No. 5874 at 10:41 a.m.**  
**Enrolled House Bill No. 6365 at 10:43 a.m.**  
**Enrolled House Bill No. 6366 at 10:45 a.m.**  
**Enrolled House Bill No. 6562 at 10:47 a.m.**  
**Enrolled House Bill No. 6604 at 10:49 a.m.**  
**Enrolled House Bill No. 6618 at 10:51 a.m.**  
**Enrolled House Bill No. 4847 at 1:09 p.m.**  
**Enrolled House Bill No. 5331 at 1:11 p.m.**  
**Enrolled House Bill No. 5677 at 1:13 p.m.**  
**Enrolled House Bill No. 5679 at 1:15 p.m.**  
**Enrolled House Bill No. 5828 at 1:17 p.m.**  
**Enrolled House Bill No. 5878 at 1:19 p.m.**  
**Enrolled House Bill No. 6189 at 1:21 p.m.**  
**Enrolled House Bill No. 6412 at 1:23 p.m.**  
**Enrolled House Bill No. 6413 at 1:25 p.m.**  
**Enrolled House Bill No. 6608 at 1:27 p.m.**  
**Enrolled House Bill No. 6623 at 1:29 p.m.**  
**Enrolled House Bill No. 6636 at 1:31 p.m.**  
**Enrolled House Bill No. 6638 at 1:33 p.m.**  
**Enrolled House Bill No. 6640 at 1:35 p.m.**  
**Enrolled House Bill No. 6741 at 1:37 p.m.**  
**Enrolled House Bill No. 4146 at 2:12 p.m.**  
**Enrolled House Bill No. 4599 at 2:14 p.m.**  
**Enrolled House Bill No. 4843 at 2:16 p.m.**  
**Enrolled House Bill No. 5678 at 2:18 p.m.**  
**Enrolled House Bill No. 5910 at 2:20 p.m.**  
**Enrolled House Bill No. 5935 at 2:22 p.m.**  
**Enrolled House Bill No. 5992 at 2:24 p.m.**  
**Enrolled House Bill No. 6441 at 2:26 p.m.**  
**Enrolled House Bill No. 6442 at 2:28 p.m.**  
**Enrolled House Bill No. 6602 at 2:30 p.m.**  
**Enrolled House Bill No. 6714 at 2:32 p.m.**  
**Enrolled House Bill No. 6715 at 2:34 p.m.**

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, December 16, for her approval of the following bills:

**Enrolled House Bill No. 4092 at 9:54 a.m.**  
**Enrolled House Bill No. 4730 at 9:56 a.m.**  
**Enrolled House Bill No. 4844 at 9:58 a.m.**  
**Enrolled House Bill No. 4846 at 10:00 a.m.**

**Enrolled House Bill No. 4848 at 10:02 a.m.**  
**Enrolled House Bill No. 5341 at 10:04 a.m.**  
**Enrolled House Bill No. 5534 at 10:06 a.m.**  
**Enrolled House Bill No. 6070 at 10:08 a.m.**  
**Enrolled House Bill No. 6185 at 10:10 a.m.**

The Clerk announced that the following bill had been printed and placed upon the files of the members on Thursday, December 18:

**Senate Bill No. 1674**

### **Reports of Standing Committees**

#### **COMMITTEE ATTENDANCE REPORT**

The following report, submitted by Rep. Cushingberry, Chair, of the Committee on Appropriations, was received and read:

Meeting held on: Thursday, December 18, 2008

Present: Reps. Cushingberry, Bauer, Bennett, Byrnes, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Vagnozzi, Acciavatti, Caswell, Shaffer, Amos, Booher, Caul, Hansen, Proos, Agema and Moss

Absent: Reps. Gillard, Cheeks, Brandenburg and Nofs

Excused: Reps. Gillard, Cheeks, Brandenburg and Nofs

### **Messages from the Senate**

#### **House Bill No. 4017, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 653b.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

#### **House Bill No. 4179, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 541 (MCL 436.1541), as amended by 2006 PA 253.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

#### **House Bill No. 4289, entitled**

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 625k, 625l, 904, and 904d

(MCL 257.625k, 257.625l, 257.904, and 257.904d), sections 625k, 625l, and 904d as amended by 2003 PA 61 and section 904 as amended by 2004 PA 362.

The Senate has concurred in the House amendment to the Senate substitute (S-1).

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 4594, entitled**

A bill to amend 1972 PA 382, entitled "Traxler-McCauley-Law-Bowman bingo act," by amending sections 2, 3, and 9 (MCL 432.102, 432.103, and 432.109), sections 2 and 9 as amended by 1999 PA 108 and section 3 as amended by 2006 PA 427.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 5018, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14j of chapter XVII (MCL 777.14j), as added by 2002 PA 29.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 5361, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 383a (MCL 750.383a).

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 5362, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16s of chapter XVII (MCL 777.16s), as amended by 2005 PA 106.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 5771, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40501 (MCL 324.40501), as added by 1995 PA 57.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 5862, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 2004 PA 173.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 6058, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 34b (MCL 400.734b), as amended by 2008 PA 135.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 6113, entitled**

A bill to amend 1961 PA 88, entitled "Reciprocal retirement act," by amending sections 4 and 5 (MCL 38.1104 and 38.1105), as amended by 1990 PA 274.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 6420, entitled**

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 8 (MCL 125.2788), as amended by 2006 PA 667.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 6549, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 22 (MCL 125.1422), as amended by 2008 PA 216.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 6612, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2505 (MCL 324.2505), as added by 1995 PA 60; and to repeal acts and parts of acts.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 6613, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11135 and 11153 (MCL 324.11135 and 324.11153), as amended by 2007 PA 75.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 6629, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as amended by 2002 PA 120.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 6630, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 12g and 16p of chapter XVII (MCL 777.12g and 777.16p), section 12g as added by 2002 PA 34 and section 16p as amended by 2005 PA 168.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Concurrent Resolution No. 101.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Flint French Hall Renovations.

(For text of resolution, see House Journal No. 85, p. 2560.)

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

**House Concurrent Resolution No. 103.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Ann Arbor Phoenix Laboratory.

(For text of resolution, see House Journal No. 92, p. 2987.)

The Senate has adopted the concurrent resolution and named Senators Cherry, Clark-Coleman, Clarke, Jacobs, Pappageorge and Richardville as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

**House Concurrent Resolution No. 104.**

A concurrent resolution to authorize construction and establish the total project cost of the Health Sciences Facility project at Saginaw Valley State University.

(For text of resolution, see House Journal No. 93, p. 3027.)

The Senate has adopted the concurrent resolution and named Senators Barcia, Cherry, Clark-Coleman, Clarke, Jacobs and Pappageorge as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

**Senate Bill No. 1085, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40107a (MCL 324.40107a), as amended by 2003 PA 242.

The Senate has amended the House amendment as follows:

1. Amend the House Amendment page 2, following line 25, enacting section 1, after "unless" by striking out the balance of the amendment and inserting "House Bill No. 4614 of the 94th Legislature is enacted into law."

The Senate has concurred in the House amendment, as amended, ordered that the bill be given immediate effect and agreed to the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**Notices**

December 18, 2008

Clerk of the House Rich Brown  
Capitol Building, Room 69  
Lansing, MI 48909

Dear Clerk Brown,

I write today to tender my resignation as State Representatives of the 21st House District. I wish for my resignation to take effect at 1:30 p.m. on Friday, December 19, 2008 as I will be sworn in at that time as Canton Township Supervisor.

Sincerely,  
Philip J. LaJoy



I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4564**.

Rep. Hoogendyk

### **Messages from the Governor**

The following message from the Governor was received December 18, 2008 and read:

#### **EXECUTIVE ORDER No. 2008 – 22**

#### **STATE EQUAL OPPORTUNITY AND DIVERSITY COUNCIL**

#### **DEPARTMENT OF CIVIL RIGHTS**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963, the Governor transacts all necessary business with the officers of state government and may require information in writing from all executive and administrative state officers, elective and appointive, upon any subject relating to the duties of their respective offices;

WHEREAS, the diversity of the people of the State of Michigan is one of this state's greatest strengths;

WHEREAS, when the State of Michigan embraces diversity and acts inclusively, the state benefits from the contribution and full participation of all Michiganians;

WHEREAS, the employment and purchasing practices of the State of Michigan should promote public confidence in the fairness and integrity of government, and should reflect a firm commitment to inclusion and equal employment opportunities in compliance with the Michigan Constitution of 1963;

WHEREAS, it is the policy of this administration to ensure equal access and opportunities in the recruitment, hiring, promotion, and retention of employees in the state's classified service without regard to religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, marital status, partisan considerations, genetic information, or a disability that is unrelated to the person's ability to perform the duties of a particular job or position;

WHEREAS, because today's smaller, more efficient state government depends upon recruiting and retaining highly-qualified employees, applicant pools for positions in the state classified service that do not include members of diverse segments of the population may not include the most qualified individuals;

WHEREAS, state employees that interact regularly with a diverse workforce are better able to relate and respond to the needs of the diverse communities and residents served by state government;

WHEREAS, a strong commitment to a diverse, inclusive, and equitable workplace coupled with recruitment, hiring, promotion, and retention policies and practices based on merit, efficiency, and fitness will enable Michigan to better serve its residents;

WHEREAS, state employment practices based on a commitment to a diverse, inclusive, and equitable workplace provide desirable models for the private sector and local governments and build upon successful policies and procedures of private and public sector employers;

WHEREAS, this administration is firmly committed to strengthening and developing diversity and equal opportunity in state employment;

WHEREAS, it is recognized that this state's ability to procure goods and services is funded by Michigan taxpayers;

WHEREAS, it is the policy of this administration to promote equal opportunity in and access to the state procurement process for all Michigan taxpayers;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order:

#### **I. DEFINITIONS**

As used in this Order:

A. "Civil Rights Commission" means the commission established by Section 29 of Article V of the Michigan Constitution of 1963

B. "Civil Service Commission" means the Michigan Civil Service Commission created under Section 5 of Article XI of the Michigan Constitution of 1963.

C. "Classified service" means the state classified service as provided for under Section 5 of Article XI of the Michigan Constitution of 1963.



D. "Council" means the State Equal Opportunity and Diversity Council created within the Department of Civil Rights under Section II of this Order.

E. "Department of Civil Rights" or "Department" means the principal department of state government created by Section 475 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.575.

F. "Office of the State Employer" means the autonomous office created within the Department of Management and Budget by Executive Order 1979-5, with duties including, but not limited to, those assigned by Executive Orders 1979-5, 1981-3, 1988-6, 2002-18, and 2004-31.

G. "State Personnel Director" means the administrative and principal executive officer of the Civil Service Commission provided for under Section 5 of Article XI of the Michigan Constitution of 1963.

#### **H. CREATION OF THE STATE EQUAL OPPORTUNITY AND DIVERSITY COUNCIL**

A. The State Equal Opportunity and Diversity Council is established as an advisory body in the Department of Civil Rights.

B. The Council shall consist of the following 6 members:

1. The Director of the Department of Civil Rights.
2. The Director of the Department of Energy, Labor, and Economic Growth or his or her designee from within the Department of Energy, Labor, and Economic Growth.
3. The Director of the Department of Management and Budget or his or her designee from within the Department of Management and Budget.
4. The Director of the Office of the State Employer or his or her designee from within the Office of the State Employer.
5. The State Personnel Director.
6. The state employee or officer within the executive branch of state government designated by the Governor under Executive Order 2004-31 as the State ADA Coordinator.

C. The Director of the Department of Civil Rights shall serve as the Chairperson of the Council.

#### **III. CHARGE TO THE COUNCIL**

A. The Council shall act in an advisory capacity to the Governor, the Civil Rights Commission, and the Civil Service Commission, and shall do all of the following:

1. Recommend actions for all state departments and agencies intended to foster an environment in state government in which all of the following apply:

- a. Employees are assured an equal opportunity to reach their full potential while pursuing organization objectives.
- b. Workplace decisions are directed to ensure that a highly qualified workforce is able to provide Michigan's diverse communities and residents with high-quality services.
- c. Equal opportunity and diversity are recognized as necessary to ensure fair representation and treatment of diverse employees, communities, and residents.
- d. State employees understand and respect the heritage and culture of diverse communities and respond to the uniqueness of individuals.
- e. Employees are encouraged to reach beyond their own experience to appreciate and work effectively with different people.

2. Establish a department liaison group consisting of an equal employment opportunity officer designated by each principal department of state government. The liaison group shall assist the Council by studying best practices and providing recommendations to the Council on recruitment, hiring, promotion, and retention of employees in the state classified service and the use of personnel services contracts by state departments and agencies consistent with the Michigan Constitution of 1963 and applicable law.

3. Review and recommend policies and procedures to assure compliance by state departments and agencies with equal employment opportunity requirements, equal contracting opportunity requirements, and related state and federal laws and regulations.

4. Recommend a training program for state employees designed to educate, promote, and advance knowledge of and respect for diversity. At a minimum, the recommendation shall provide for mandatory training for all state employees every three years and training for new employees within the first six months of employment.

5. Review and evaluate state personnel rules, policies, and procedures, recruitment and retention efforts, and career development programs affecting employees in the classified service to assure a commitment to equal opportunity and diversity.

6. Review and evaluate department and agency efforts to develop and implement equal employment opportunity plans and procedures. The Civil Rights Commission shall continue to review equal employment opportunity plans and procedures submitted by departments and agencies to assure compliance with the Michigan Constitution of 1963, the Persons with Disabilities Civil Rights Act, 1976 PA 220, MCL 37.1101 to 37.1607, and the Elliott-Larsen Civil Rights Act, 1976 PA 453, MCL 37.2101 to 37.2804.

B. In performing Council duties and functions, the Council may request information from state departments and agencies, including, but not limited to, all of the following:

1. Periodic updates on recruitment plans and strategies and their effectiveness.

2. Identification of barriers and obstacles that interfere with successful recruitment, retention, career development, and related employment activities and strategies.

3. Workforce analysis data.

4. Equal employment opportunity plans filed with the Civil Rights Commission, the Civil Service Commission, or federal agencies.

C. The Council shall recommend to the Governor, the Civil Rights Commission, and the Civil Service Commission actions to develop and implement programs and strategies throughout state government focused on active internal and external recruitment of qualified, interested, and diverse job applicants to foster a classified service prepared to meet the present and future needs of Michigan residents.

D. The Council shall recommend to the Governor actions necessary to develop and implement programs and strategies throughout state government to provide equal opportunity and diversity in the state procurement process while providing Michigan taxpayers with the best value for money spent by state departments and agencies.

E. The Civil Service Commission shall continue to serve as a central location for workforce data collection and analysis and may collect and compile data as requested by the Council.

#### **IV. OPERATIONS OF THE COUNCIL**

A. The Council shall be staffed and assisted by personnel from the Department, subject to available funding. Any budgeting, procurement, or related management functions of the Council shall be performed under the direction and supervision of the Director of the Department.

B. The Council shall adopt procedures consistent with Michigan law and this Order governing its organization and operations.

C. A majority of the members of the Council serving constitutes a quorum for the transaction of the Council's business. The Council shall act by a majority vote of its serving members.

D. The Council shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Council.

E. The Council may establish advisory workgroups composed of state officers, state employees, or members of the public who are not members of the Council. The Council may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

F. The Council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Council may also consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

G. Members of the Council shall serve without compensation. Members of the Council may receive reimbursement for necessary travel and expenses consistent with relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Management and Budget, subject to available funding.

H. The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Director of the Department deems advisable and necessary, in accordance with this Order, and the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

I. The Council may accept donations of labor, services, or other things of value from any public or private agency or person.

J. All state departments and agencies shall cooperate with the Council in the performance of its duties and responsibilities under this Order. The Council may request, and state departments and agencies shall provide, information and assistance that the Council requires in the performance of its duties and responsibilities under this Order.

K. Members of the Council shall refer all legal, legislative, and media contacts to the Department.

#### **V. MISCELLANEOUS**

A. Executive Order 1996-13 is rescinded in its entirety.

B. Nothing in this Order shall be construed to diminish or limit the power of the Civil Rights Commission to exercise authority granted to the Commission under Section 29 of Article V of the Michigan Constitution of 1963.

C. Nothing in this Order shall be construed to diminish or limit the power of the Civil Service Commission to exercise authority granted to the Commission under Section 5 of Article XI of the Michigan Constitution of 1963.

D. All departments, committees, commissioners, or officers of this state, or of any political subdivision of this state, shall give to the Council or to any member or representative of the Council, any necessary assistance required by the Council or any member or representative of the Council, in the performance of the duties of the Council so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or review of the Council.

E. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

F. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

G. This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 18th day of December, in the year of our Lord, two thousand eight.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received December 18, 2008 and read:

### **EXECUTIVE ORDER**

**No. 2008 – 23**

### **MOTOR CARRIER SAFETY ASSISTANCE PROGRAM**

### **TRAFFIC SAFETY DIVISION**

### **MICHIGAN DEPARTMENT OF STATE POLICE**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that the Governor shall take care that the laws be faithfully executed;

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration;

WHEREAS, the federal Surface Transportation Assistance Act of 1982, Public Law 97-424, provides, among other things, assistance to states in the development and implementation of programs for the enforcement of federal or compatible state rules, regulations, standards, and orders, applicable to commercial motor vehicle safety;

WHEREAS, one such program is the Commercial Motor Carrier Safety Assistance Program, a federal grant program that provides financial assistance to states to reduce the number and severity of accidents and hazardous materials incidents involving commercial motor vehicles;

WHEREAS, under Section 201 of Part 350 of Chapter III of Title 49 of the Code of Federal Regulations, 49 CFR 350.201, Michigan's participation in the Commercial Motor Carrier Safety Assistance Program requires the designation of a state commercial motor vehicle safety agency as a lead agency within the State of Michigan for the administration and implementation of the commercial motor vehicle safety enforcement plan;

WHEREAS, the responsibility for commercial motor vehicle enforcement was conferred upon the Department of State Police by Executive Order 1982-1, MCL 28.21;

WHEREAS, the Motor Carrier Division was established within the Department of State Police by 1982 PA 531 and designated as the lead agency for the Motor Carrier Safety Assistance Program by Executive Order 1994-9;

WHEREAS, in April 2007, the Motor Carrier Division and the Traffic Services Section merged to form the Traffic Safety Division within the Department of State Police;

WHEREAS, formal designation of the Traffic Safety Division within the Department of State Police as the new lead agency for the Motor Carrier Safety Assistance Program is necessary to appropriately reflect the current organizational structure of state government and to comply with federal law;

NOW THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

#### **I. DEFINITIONS**

As used in this Order:

A. "Department of State Police" means the principal department of state government created under Section 150 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.250.

B. "Motor Carrier Safety Assistance Program" means the federal grant program that provides assistance to states to reduce the number and severity of accidents and hazardous materials incidents involving commercial motor vehicles.

## II. DESIGNATION OF THE TRAFFIC SAFETY DIVISION AS THE LEAD AGENCY FOR THE MOTOR CARRIER SAFETY ASSISTANCE PROGRAM

A. The Traffic Safety Division of the Department of State Police is designated as the lead agency for the administration and enforcement of the Motor Carrier Safety Assistance Program and shall do all of the following:

1. Provide, through the use of all available resources, a comprehensive state enforcement plan to reduce commercial vehicle traffic accidents, deaths, injuries, and any resulting property damage.

2. Apply for and accept grants from the federal government under the provisions of the federal Surface Transportation Assistance Act of 1982, Public Law 97-424, 42 USC 2301 to 42 USC 2311, as amended, to expend or approve for expenditure the grants in a manner consistent with the Michigan Constitution of 1963 and the laws of this state.

3. Apply for and accept grants from any public or private source for use in commercial vehicle safety programs and to expend the grants in a manner consistent with the Michigan Constitution of 1963 and the laws of this state.

4. Administer commercial vehicle safety grants to state departments, local units of government, and nonprofit organizations according to the rules, regulations, and procedures of the federal Surface Transportation Assistance Act of 1982, Public Law 97-424, 42 USC 2301 to 42 USC 2311, as amended, and the laws of this state.

5. Assist in the coordination of commercial vehicle safety programs of all state departments and agencies, local units of government and private agencies.

## III. MISCELLANEOUS

A. Executive Order 1994-9 is rescinded in its entirety.

B. This Order shall not abate any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected under this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

D. This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 18th day of December, in the year of our Lord, two thousand eight.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

Date: December 17, 2008

Time: 9:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5143 (Public Act No. 305, I.E.), being**

An act to amend 1967 PA 150, entitled “An act to provide for the militia of this state and its organization, command, personnel, administration, training, supply, discipline, deployment, employment, and retirement; and to repeal acts and parts of acts,” by amending section 251 (MCL 32.651), as amended by 1988 PA 246.

(Filed with the Secretary of State December 18, 2008, at 9:46 a.m.)

Date: December 17, 2008

Time: 9:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6222 (Public Act No. 306, I.E.), being**

An act to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 16a (MCL 207.566a), as added by 1996 PA 94.

(Filed with the Secretary of State December 18, 2008, at 9:48 a.m.)

Date: December 17, 2008

Time: 9:04 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6297 (Public Act No. 307, I.E.), being**

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 622 and 1223 (MCL 380.622 and 380.1223), section 622 as amended by 2001 PA 127 and section 1223 as amended by 1997 PA 47.

(Filed with the Secretary of State December 18, 2008, at 9:50 a.m.)

Date: December 17, 2008

Time: 9:12 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4905 (Public Act No. 311, I.E.), being**

An act to amend 1982 PA 239, entitled “An act to license and regulate animal food manufacturing plants, transfer stations, dead animal dealers, rendering plants, and certain vehicles; to regulate the disposal of dead animals and to provide for poultry and livestock composting; to prescribe powers and duties of certain state departments; to impose fees; to provide for remedies and to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 3 and 15 (MCL 287.653 and 287.665), as amended by 2005 PA 66.

(Filed with the Secretary of State December 18, 2008, at 9:58 a.m.)

Date: December 17, 2008

Time: 9:14 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4902 (Public Act No. 312, I.E.), being**

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” (MCL 380.1 to 380.1852) by adding section 1164b.

(Filed with the Secretary of State December 18, 2008, at 10:00 a.m.)

Date: December 17, 2008

Time: 9:18 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5748 (Public Act No. 313, I.E.), being**

An act to amend 1984 PA 44, entitled “An act to provide purity and quality standards for motor fuels; to regulate the transfer, sale, dispensing, or offering motor fuels for sale; to provide for an inspection and testing program; to provide for the powers and duties of certain state agencies; to prescribe certain powers of the governor; to provide for the licensing of certain persons engaged in the transfer, sale, dispensing, or offering of motor fuels for sale; to regulate stage I vapor-recovery



systems at certain facilities; to provide for fees; to make appropriations; and to provide remedies and prescribe fines and penalties,” by amending section 3 (MCL 290.643), as amended by 2006 PA 271.

(Filed with the Secretary of State December 18, 2008, at 10:02 a.m.)

Date: December 17, 2008

Time: 9:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5877 (Public Act No. 314, I.E.), being**

An act to amend 1937 PA 94, entitled “An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations,” by amending section 4 (MCL 205.94), as amended by 2007 PA 103.

(Filed with the Secretary of State December 18, 2008, at 10:04 a.m.)

Date: December 17, 2008

Time: 9:22 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6368 (Public Act No. 315, I.E.), being**

An act to provide for the coordination and development of certain farm-to-school procurement processes and procedures; to provide for procedures and recommendations for certain farm product producers to access school-related food programs; to provide for certain powers and duties for the departments of education and agriculture; and to provide for the dissemination of certain information to schools and farm product producers.

(Filed with the Secretary of State December 18, 2008, at 10:06 a.m.)

Date: December 17, 2008

Time: 9:38 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6618 (Public Act No. 323, I.E.), being**

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 14p of chapter XVII (MCL 777.14p), as amended by 2006 PA 251.

(Filed with the Secretary of State December 18, 2008, at 10:22 a.m.)

Date: December 17, 2008

Time: 9:48 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6562 (Public Act No. 324, I.E.), being**

An act to amend 1987 PA 173, entitled “An act to define and regulate mortgage brokers, mortgage lenders, and mortgage servicers and their loan officers; to prescribe the powers and duties of certain public officers and agencies; to

provide for the promulgation of rules; and to provide remedies and penalties,” by amending section 33 (MCL 445.1683), as amended by 2008 PA 64.

(Filed with the Secretary of State December 18, 2008, at 10:24 a.m.)

Date: December 17, 2008

Time: 9:56 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5746 (Public Act No. 329, I.E.), being**

An act to amend 1996 PA 376, entitled “An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials,” by amending section 8e (MCL 125.2688e), as added by 2008 PA 117.

(Filed with the Secretary of State December 18, 2008, at 10:34 a.m.)

Date: December 17, 2008

Time: 9:16 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5745 (Public Act No. 330, I.E.), being**

An act to provide for the publication of certain information regarding the establishing of alternative fuels facilities in this state; to provide for certain powers and duties for certain state agencies; and to make available to the public certain information.

(Filed with the Secretary of State December 18, 2008, at 10:36 a.m.)

Date: December 17, 2008

Time: 9:46 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5828 (Public Act No. 331, I.E.), being**

An act to amend 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,” (MCL 710.21 to 712A.32) by adding section 56a to chapter X; and to repeal acts and parts of acts.

(Filed with the Secretary of State December 18, 2008, at 10:38 a.m.)

### Explanation of “No” Votes

Rep. Opsommer, having reserved the right to explain his protest against the passage of **House Bill No. 6752**, made the following statement:

“Mr. Speaker and members of the House:

While I agree that how we fund our transportation infrastructure is critically important, this is part of a package of bills that have been brought forth this evening that have been substituted and/or amended in a manner that has not been shared with the House as a whole. In some cases, it has become evident after the fact that they are being substituted in a manner so that they actually have the opposite of the initial purpose of the bill. As such, I can not vote on a bill without knowing its true content, and I wish to thank Rep. Vagnozzi for pointing out that the majority of members are being asked to vote on these bills without knowing what they accomplish.



Before we can consider raising gas taxes, registration fees, or other hardships onto Michigan's citizens it is important that we first ensure that the equivalent of all gas tax monies be spent on road funding, and that the road funding money we generate is not being diverted for other purposes. For that reason I am in support of my bills that would create the Priority Now! Transportation fund, HB 6520, HB 6521, and HJR NNN to establish a baseline for how much transportation money we currently should be using."

### Communications from State Officers

The following communication from the Department of Management and Budget was received and read:

December 8, 2008

The enclosed plans for the revolving funds operated by the Department of Management and Budget (DMB) are submitted for fiscal years 2008 and 2009 in accordance with Section 434 of Public Act No. 431 of 1984.

Any questions regarding this report may be directed to Michael Gilliland, DMB's Chief Financial Officer, at 335-1557.

Sincerely,  
Lisa Webb Sharpe  
Director

The communication was referred to the Clerk.

### Announcements by the Clerk

December 12, 2008

Received from the Auditor General a copy of the following audit report and/or report summary:

Financial audit of the Commercial Mobile Radio Service Emergency Telephone Fund, Department of Treasury and Michigan Department of State Police, for the period October 1, 2005 through September 30, 2007.

Richard J. Brown  
Clerk of the House

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Rep. Tobocman moved that Reps. Bennett, Cushingberry, Polidori and Virgil Smith be excused temporarily from today's session.

The motion prevailed.

Rep. Hansen moved that Reps. Ball, Caswell, Pearce and Steil be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

The House returned to the consideration of

#### **Senate Bill No. 1009, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 207 (MCL 208.1207).

(The bill was considered earlier today, see today's Journal, p. 3174.)

The question being on the passage of the bill,

Rep. Elsenheimer moved to amend the bill as follows:

1. Amend page 8, following line 5, by inserting:

"Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 1038 of the 94th Legislature is enacted into law."

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1189****Yeas—68**

Agema	Dillon	Horn	Moss
Amos	Donigan	Huizenga	Palmer
Angerer	Ebli	Hune	Palsrok
Bauer	Elsenheimer	Jackson	Pastor
Bieda	Espinoza	Johnson	Robertson
Booher	Gaffney	Knollenberg	Scott
Brandenburg	Garfield	LaJoy	Sheen
Brown	Gillard	Law, David	Simpson
Byrnes	Gonzales	Law, Kathleen	Smith, Alma
Byrum	Griffin	LeBlanc	Spade
Cheeks	Hammel	Leland	Stakoe
Clack	Hammon	Lemmons	Tobocman
Clemente	Hansen	Mayes	Valentine
Condino	Hildenbrand	Meadows	Walker
Corriveau	Hood	Meekhof	Ward
Coulouris	Hoogendyk	Meisner	Warren
Dean	Hopgood	Meltzer	Wenke

**Nays—32**

Accavitti	Farrah	Melton	Rocca
Acciavatti	Green	Moolenaar	Sak
Calley	Jones, Rick	Moore	Schuitmaker
Casperson	Jones, Robert	Nitz	Shaffer
Caul	Lahti	Nofs	Sheltrown
Constan	Lindberg	Opsommer	Stahl
DeRoche	Marleau	Pavlov	Wojno
Emmons	McDowell	Proos	Young

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations.”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Friday, December 19, at 12:01 a.m. The motion prevailed.

Rep. Brown moved that the House adjourn.

The motion prevailed, the time being 11:59 p.m.

The Speaker Pro Tempore declared the House adjourned until Friday, December 19, at 12:01 a.m.

RICHARD J. BROWN  
Clerk of the House of Representatives

